

Monday, August 5, 2019

The following action minutes are listed as they were acted upon by the Subdivision Review Board and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

Hearings are advertised for 9:00 a.m. This time is only an estimate and is not to be considered as time guaranteed. The public and applicants are advised to arrive early.

This meeting is called to order by Leslie Terry.

ROLL CALL:

PRESENT: Leslie Terry, Edward Reading, Andrew Mutziger, and Karen Nall.

ABSENT: Matt Janssen

PUBLIC COMMENT PERIOD

Members of the public wishing to address the Board on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

Leslie Terry: open and closes Public Comment with no one coming forward.

CONSENT AGENDA

2. June 3, 2019 SRB Minutes

Consent Item 2, June 3, 2019 SRB Minutes is approved via voice vote by the County Subdivision Review Board and is available at the office of the Planning and Building Department.

Motion by: Mutziger, Andrew

Second by: Reading, Edward

Board Members:	AYES	NOES	ABSTAIN	RECUSE
Janssen, Matt				
Mutziger, Andrew	X			
Nall, Karen	X			
Reading, Edward	X			
Terry, Leslie	X			

3. A request for a **Sixth Time Extension by Mary Matakovich** for a Vesting Tentative Parcel Map/Development Plan/Coastal Development Permit (SUB2004-00379/CO 05-0183) to subdivide an existing 8,083 square foot parcel into three parcels of 1,478, 1,345, and 1,618 square feet each for the purpose of sale and development and one common lot of 3,642 square feet and construction of three residential dwelling units of 1,645 square feet each. The project will result in the disturbance of approximately 6,640 square feet of an 8,083 square foot parcel. The proposed project is within the Residential Multi-Family land use category and is located at

250 Laurel Street, in the community of Avila Beach. The site is in the San Luis Bay (Coastal) Planning Area. The Vesting Tentative Parcel Map/Development Plan/Coastal Development Permit CO 05-0183 was approved by the Subdivision Review Board on September 12, 2005.

County File Number: EXT2019-00036

Assessor Parcel Number: 076-205-010

Supervisory District: 3

Date Accepted: NA

Project Manager: Katie Nall

Recommendation: Approval

Consent Item 3, a request for a Sixth Time Extension by Mary Matakovich for a Vesting Tentative Parcel Map/Development Plan/Coastal Development Permit (SUB2004-00379/CO 05-0183) is approved via voice vote by the County Subdivision Review Board.

Motion by: Mutziger, Andrew

Second by: Reading, Edward

Board Members:	AYES	NOES	ABSTAIN	RECUSE
Janssen, Matt				
Mutziger, Andrew	X			
Nall, Karen	X			
Reading, Edward	X			
Terry, Leslie	X			

4. A request for a **Second Time Extension by Carlos Castaneda, Jr.** for a Vesting Tentative Parcel Map (SUB2015-00009) to subdivide two existing parcels totaling approximately 21 acres into four parcels of approximately 5.20 acres each for the purpose of sale and/or development. The project includes road improvements to Pomeroy Road and Rocky Place fronting the property. The project will result in site disturbance of approximately 10,000 square feet (for road improvements). The proposed project is within the Residential Rural land use category. The project is located at 1650 Rocky Place, at the north east corner of Rocky Place and Pomeroy Road, approximately three miles northwest of the community of Nipomo. The site is in the South County Sub Area of the South County Planning Area.

County File Number: EXT2019-00033

Assessor Parcel Numbers: 091-073-021 & -022

Supervisory District: 4

Date Accepted: N/A

Project Manager: Stephanie Fuhs

Recommendation: Approval

Consent Item 4, a request for a Second Time Extension by Carlos Castaneda, Jr. for a Vesting Tentative Parcel Map (SUB2015-00009) is approved via voice vote by the County Subdivision Review Board.

Motion by: Mutziger, Andrew

Second by: Reading, Edward

Board Members:	AYES	NOES	ABSTAIN	RECUSE
Janssen, Matt				
Mutziger, Andrew	X			
Nall, Karen	X			

Reading, Edward	X			
Terry, Leslie	X			

HEARINGS

5. Hearing to consider a request by **Newlin Hastings** for a Tentative Parcel Map (SUB2016-00095) to allow for a Commercial Subdivision of a 2.18-acre parcel into three commercial parcels of 0.52 acres, 1.04 acres, and 0.62 acres each for the purposed of sale and/or development. A Minor Use Permit in 2009, authorized the construction of the development of an approximate 19,900-square-foot commercial retail center to include three buildings. Currently, Building "C", Creekside Veterinary Building has been built. Grading for the entire site, grading pads for the future commercial buildings and off-site improvements have been completed. One building will be located on each proposed new parcel. The proposed project is within the Commercial Retail land use category and is located at 1075 Rossi Road, at the southeast corner of the intersection of Rossi Road and Vineyard Drive in the community of Templeton. The site is in the Salinas River Sub Area of the North County Planning Area. Also to be considered is the environmental determination. The Environmental Coordinator finds that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

County File Number: SUB2016-00095

Assessor Parcel Number: 039-381-065

Supervisory District: 1

Project Manager: Holly Phipps**Recommendation: Approval**

Holly Phipps, Project Manager: states the applicant submitted a request for the item be continued to the October 7, 2019 Subdivision Review Board.

Leslie Terry: opens public comment

Pamela Jardini, Agent: speaks

Ben Dore, County Counsel: speaks

The Subdivision Review Board continues the request by Newlin Hastings for a Tentative Parcel Map (SUB2016-00095) to the October 7, 2019 Subdivision Review Board.

Motion by: Mutziger, Andrew

Second by: Reading, Edward

Board Members:	AYES	NOES	ABSTAIN	RECUSE
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Janssen, Matt				
Mutziger, Andrew	X			
Nall, Karen	X			
Reading, Edward	X			
Terry, Leslie	X			

6. Hearing to consider a request by **Valerie Wrage** for a Lot Line Adjustment (SUB2019-00028 / COAL19-0019) / Coastal Development Permit to allow an adjustment of the lot lines between two (2) existing parcels of 2,611 square feet and 2,796 square feet each. The adjustment will result in two (2) parcels of 2,352 square feet and 3,055 square feet each. The adjustment will not result in the creation of any additional parcels. The proposed adjustment is within the Residential Single-Family land use category and is located on the east side of Ocean Boulevard, approximately 150 feet north of the intersection between Ocean Boulevard and Adoree Avenue in the community of Cayucos. The site is located in the Estero Planning Area. Also to be considered is the environmental determination that the project is categorically exempt under CEQA, pursuant to CEQA Guidelines Section 15061(b)(2). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062.

County File Number: SUB2019-00028

Assessor Parcel Numbers: 064-426-039; -040

Supervisory District: 2

Date Accepted: June 6, 2019

Project Manager: Katie Nall

Recommendation: Approval

Katie Nall, Project Manager: presents staff report via PowerPoint.

Leslie Terry: opens and closes public comment with no one coming forward.

The Subdivision Review Board approves a request by Valerie Wrage for a Lot Line Adjustment (SUB2019-00028 / COAL19-0019) / Coastal Development Permit based on the Findings A. through D in Exhibit A and subject to the Conditions 1 through 10 in Exhibit B. adopted.

Motion by: Mutziger, Andrew

Second by: Reading, Edward

Board Members:	AYES	NOES	ABSTAIN	RECUSE
Janssen, Matt				
Mutziger, Andrew	X			
Nall, Karen	X			
Reading, Edward	X			
Terry, Leslie	X			

7. Hearing to consider a request by **Brooke Townsend, Peter Vonlangen, and John Bodine** for a Lot Line Adjustment (SUB2019-00038 / COAL19-0036) / Coastal Development Permit to allow an adjustment of the lot lines between three (3) existing parcels of 8,201 square feet each. The adjustment will result in two (2) parcels of 12,301.5 square feet each. Each of the two resulting lots will absorb half of vacant lot 22, transferring approximately 4,100.5 square feet to lot 21

and lot 23. The adjustment will not result in the creation of any new parcels. The proposed adjustment is within the Residential Single-Family land use category and is located on the northern side of Highland Drive, approximately 100 feet east of the intersection between Highland Drive and Ravena Avenue in the community of Los Osos. The site is located in the Estero Planning Area. Also to be considered is the environmental determination that the project is categorically exempt under CEQA, pursuant to CEQA Guidelines Section 15061(b)(2). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062.

County File Number: SUB2019-00038

Assessor Parcel Numbers: 074-382-021, -022, -023

Supervisory District: 2

Date Accepted: June 4, 2019

Project Manager: Katie Nall

Recommendation: Approval

Katie Nall, Project Manager: presents staff report via PowerPoint.

Leslie Terry: opens and closes public comment with no one coming forward.

The Subdivision Review Board approves a request by Brooke Townsend, Peter Vonlangen, and John Bodine for a Lot Line Adjustment (SUB2019-00038/COAL19-0036) / Coastal Development Permit based on the Findings A. through C in Exhibit A and subject to the Conditions 1 through 10 in Exhibit B. adopted.

Motion by: Mutziger, Andrew

Second by: Nall, Karen

Board Members:	AYES	NOES	ABSTAIN	RECUSE
Janssen, Matt				
Mutziger, Andrew	X			
Nall, Karen	X			
Reading, Edward	X			
Terry, Leslie	X			

8. Hearing to consider a request by **Paul Vanderheyden and Lucia Cleveland** for a Vesting Tentative Parcel Map (SUB2016-00010/CO 13-0006) to subdivide an existing 21.6-acre parcel into two parcels of 10.0 and 11.6 acres each for the purpose of sale and/or development. The project will result in the disturbance of up to 1.3 acres of the undeveloped parcel depending on the size and location of future development. The proposed project is within the Residential Rural land use category and is located approximately 500 feet east of the eastern terminus of Tiburon Way, on the east side of Orcutt Road, located on the eastern boundary of the City of San Luis Obispo, in the San Luis Obispo North Sub Area of the San Luis Obispo Planning Area. Also to be considered at the hearing will be adoption of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 20, 2019 for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Biological Resources, Geology/Soils, Public Services/Utilities, Recreation, Transportation/Circulation, Water and Land Use and are included as conditions of approval.

County File Number: SUB2016-00010

Supervisory District: 3

Project Manager: Stephanie Fuhs

Assessor Parcel Number: 076-531-009

Date Accepted: October 1, 2018

Recommendation: Approval

Stephanie Fuhs, Project Manager: states the applicant submitted a request for the item be continued to the October 7, 2019 Subdivision Review Board.

Motion by: Nall, Karen**Second by:** Reading, Edward

Board Members:	AYES	NOES	ABSTAIN	RECUSE
Janssen, Matt				
Mutziger, Andrew	X			
Nall, Karen	X			
Reading, Edward	X			
Terry, Leslie	X			

PLANNING STAFF UPDATES

This is the time staff provides updates to the Review Authority for items not on the agenda.

None.

ADJOURNMENT

Next Scheduled Meeting: September 9, 2019, in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

Daniela Chavez, Secretary**Subdivision Review Board**

Minutes will be approved at the October 5, 2020 Subdivision Review Board meeting.



Promoting the wise use of land

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

MEETING DATE October 5, 2020	CONTACT/PHONE Emi Sugiyama (805) 788-9470 esugiyama@co.slo.ca.us	APPLICANT Najdik Amirian	FILE NO. CO 08-0115 SUB2008-00046 EXT2020-00037
SUBJECT A request for a Fifth Time Extension by Najdik Amirian for a Conditional Use Permit and concurrent Vesting Tentative Parcel Map to: 1) subdivide an existing 2.85 acre parcel into six parcels ranging in size from 9,021 square feet up to 19,475 square feet for development of a retail center; and 2) construction on the resulting parcels of five buildings of approximately 3,065 square feet, 3,128 square feet, 4,576 square feet, 4,964 square feet, and 5,145 square feet, parking for 99 vehicles, grading, and landscaping. The remainder of the property would remain as private open space. The project will result in the disturbance of approximately 2.3 acres on a 2.85-acre parcel. The project includes abandonment of Ag Hill Road that terminates at the CAL TRANS Right-of-Way along Highway 101. The proposed project is within the Commercial Retail land use category and is located at the northeast corner of Highway 101 and Vineyard Drive, in the community of Templeton. The site is in the Salinas River Sub-area in the North County planning area.			
RECOMMENDED ACTION Approve the fifth time extension request for Vesting Tentative Parcel Map CO 08-0115 and Conditional Use Permit.			
ENVIRONMENTAL DETERMINATION A Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on July 1, 2010 for this project. The Negative Declaration was approved by the Subdivision Review Board on September 13, 2010.			
LAND USE CATEGORY Commercial Retail	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 041-211-011	SUPERVISOR DISTRICT(S): 1
PLANNING AREA STANDARDS: Templeton Design Plan			
LAND USE ORDINANCE STANDARDS: 22.22.090 – Subdivision Design; 22.10 – 22.20 Site Planning and Project Design Standards			
EXISTING USES: vacant			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban / Residential East: Public Facilities / Templeton Middle School South: Public Facilities / Undeveloped and Templeton High School West: Commercial Retail / Highway 101			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Vesting tentative parcel map and conditional use permit were originally referred to Templeton Advisory Group, Public Works, Environmental Health, Templeton Community Services District, Templeton Fire, Templeton School District, Cal Trans, APCD, Agricultural Commissioner, Parks, Building, RWQCB, City of Paso Robles, and City of Atascadero			
TOPOGRAPHY: Gently rolling to moderately sloping		VEGETATION: Grasses, oak woodland	
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Templeton Fire Department		ACCEPTANCE DATE: N/A	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

The applicant, Najdik Amirian, is requesting a fifth one-year time extension for Vesting Tentative Parcel Map CO 08-0115 and Conditional Use Permit that was approved by the Subdivision Review Board on September 13, 2010 and (after successive state-mandated time extensions) was set to expire on September 13, 2020. On September 4, 2020, the applicant requested a **fifth one-year time extension and paid the extension application fee**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision-making body. (A time extension for a tentative map also extends the life of the related conditional use permit if it is required as a part of the subdivision process).

Vesting Tentative Parcel Map (CO 08-0115) and Conditional Use Permit is a request to: 1) subdivide an existing 2.85 acre parcel into six parcels ranging in size from 9,021 square feet up to 19,475 square feet for development of a retail center; and 2) construction on the resulting parcels of five buildings of approximately 3,065 square feet, 3,128 square feet, 4,576 square feet, 4,964 square feet, and 5,145 square feet, parking for 99 vehicles, grading, and landscaping. The remainder of the property would remain as private open space. The project will result in the disturbance of approximately 2.3 acres on a 2.85-acre parcel. The project includes abandonment of Ag Hill Road that terminates at the CAL TRANS Right-of-Way along Highway 101.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

DISCUSSION

The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was September 13, 2012. After successive state-mandated time extensions were exhausted, the Subdivision Review Board approved a first one-year time extension request on November 7, 2016 and the new expiration date was September 13, 2017. The Subdivision Review Board approved a second one-year time extension request on November 6, 2017 and the new expiration date is September 13, 2018. The Subdivision Review Board approved a third one-year time extension request on September 10, 2018 and the new expiration date was September 13, 2019. With recent amendments, the Subdivision Map Act now allows up to six (6) one-year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **fifth discretionary one-year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one-year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit do not qualify for this state mandated extension because the tentative approval date was on September 13, 2010.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty-four (24) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit do not qualify for this state mandated extension because the tentative approval date was on September 13, 2010.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty-four (24) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit were extended to September 13, 2014.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 extends the tentative map twenty-four (24) months. Vesting Tentative Parcel Map CO 08-0115 and conditional use permit were extended to September 13, 2016.

With the Subdivision Review Board's approval of the fourth one-year time extension request on November 4, 2019 the new expiration date is September 13, 2020.

Staff Determination and Recommendation

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance and remains in compliance with the General Plan and County ordinances.

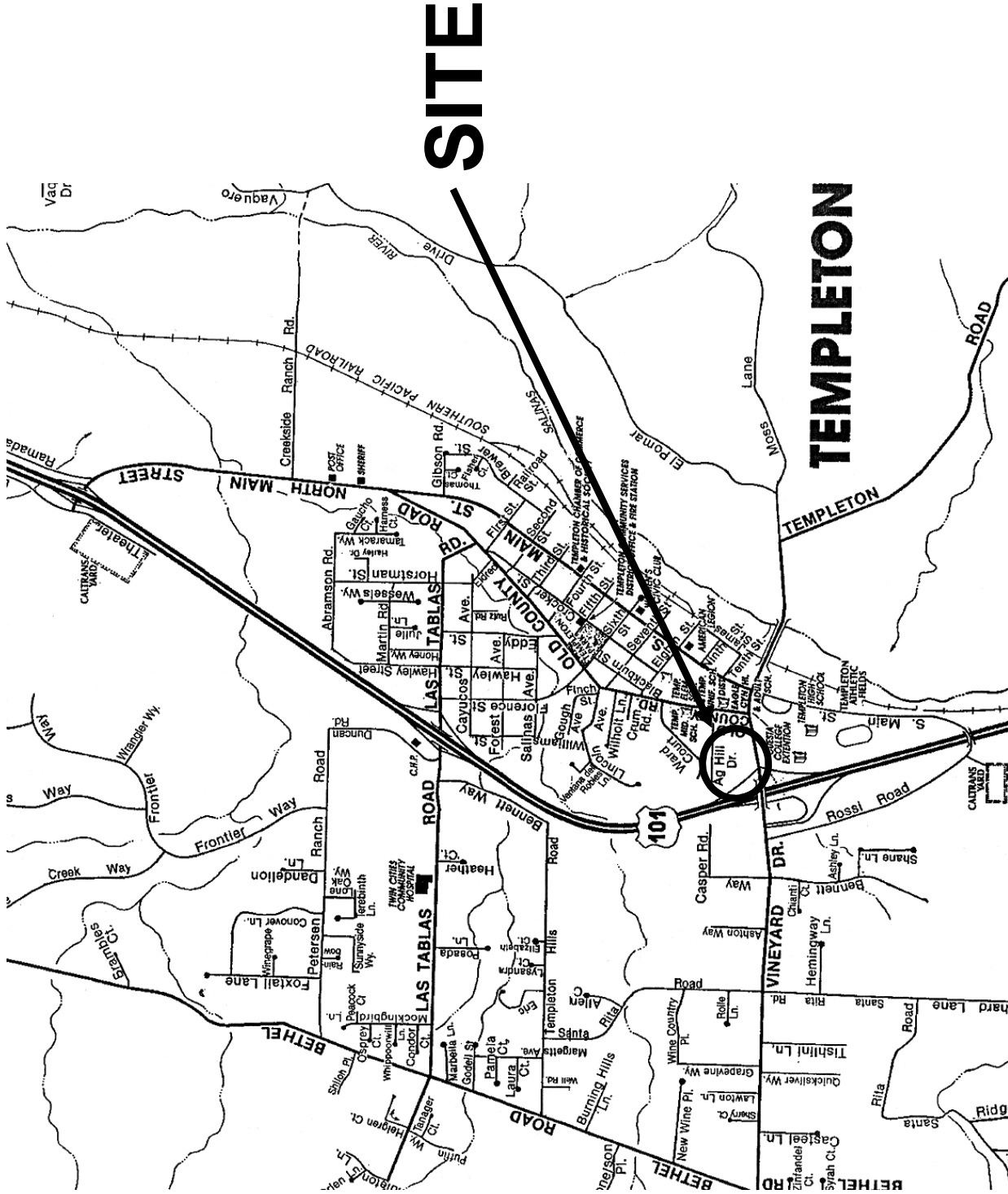
After review of the vesting tentative map, staff recommends to the Subdivision Review Board that the **fifth one-year time extension** be granted to September 13, 2021 subject to the conditions of approval set by the Subdivision Review Board on September 13, 2010.

ATTACHMENTS

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, September 13, 2010

Report prepared by Emi Sugiyama and reviewed by Terry Wahler, Senior Planner

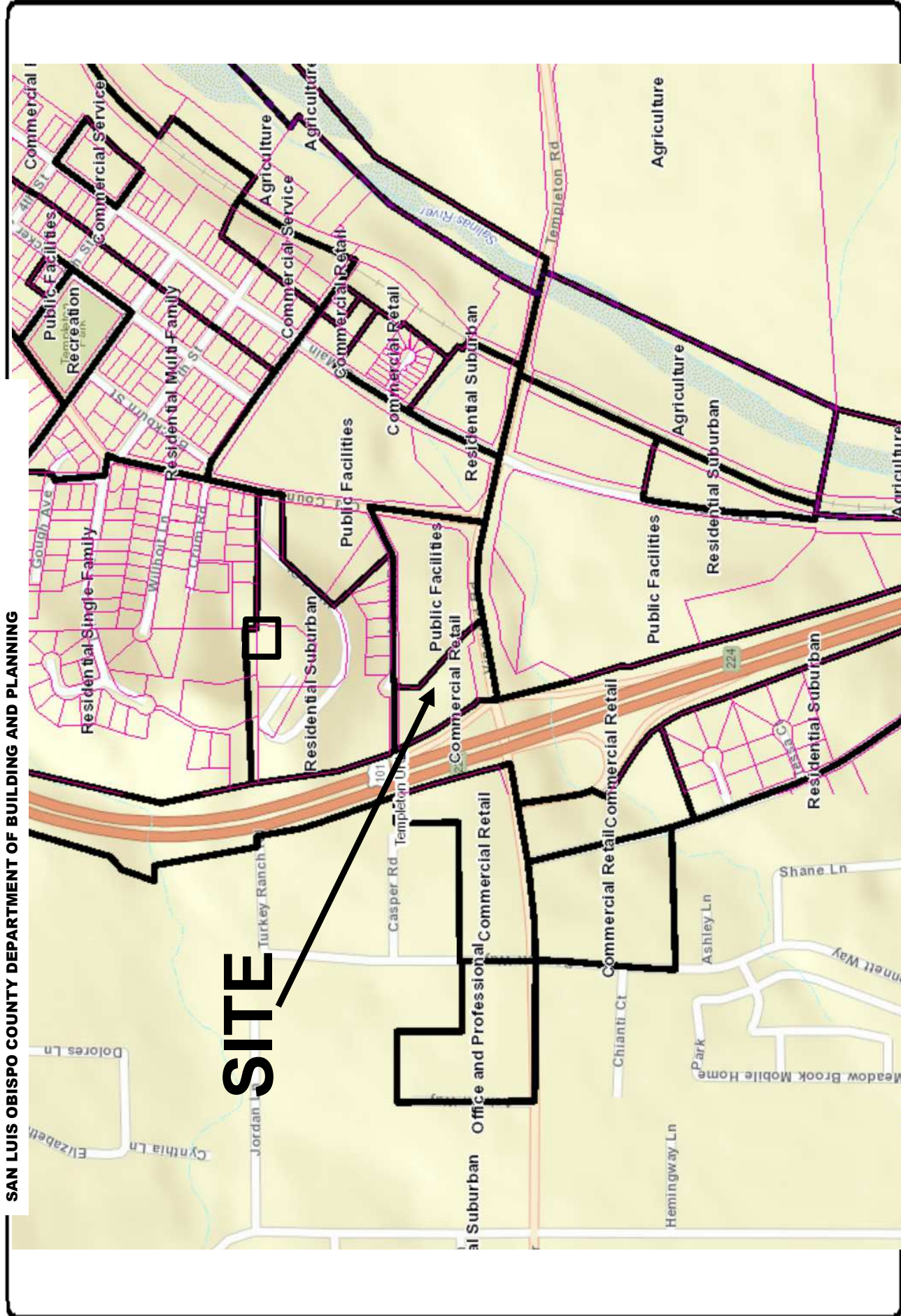


EXHIBIT

Vicinity Map



PROJECT
Parcel Map CO 08-0115 and Conditional Use Permit
Amirian SUB2008-00046



PROJECT

Parcel Map CO 08-0115 and Conditional Use Permit
Amirian SUB2008-00046



EXHIBIT

Land Use Category



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

September 17, 2010

Kirk Consulting
Attn: Mandi Pickens
8830 Morro Road
Atascadero, CA 93422

NOTICE OF FINAL COUNTY ACTION

HEARING DATE: September 13, 2010

SUBJECT: LEKAI PROPERTIES
County File Number: SUB2008-00046 / CO 08-0115
Document Number: 2010-014_SRB

LOCATED WITHIN COASTAL ZONE: NO

The above-referenced application was approved on the above-referenced date by the San Luis Obispo County Subdivision Review Board. A copy of the findings and conditions are enclosed. The conditions of approval must be completed as set forth in this document.

An approved or conditionally approved tentative parcel map shall expire twenty-four months after its approval or conditional approval. The expiration of the approved or conditionally approved tentative parcel map or tentative tract map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within such tentative parcel map shall be filed without first processing a new tentative map. Upon application of the divider filed with the Department of Planning and Building prior to the expiration of the approved or conditionally approved tentative parcel map, the Subdivision Review Board may extend or conditionally extend the time at which such map expires for a period or periods not exceeding a total of five years pursuant to the provisions of Sections 66412.3, 66473 and 66474 of the Subdivision Map Act and Section 21.48.080 of the Real Property Division Ordinance. (Sec 21.06.010)

If the use authorized by this Conditional Use Permit approval has not been established or if substantial work on the property towards the establishment of the use is not in progress after a period of twenty-four (24) months from the date of this approval or such other time period as may be designated through conditions of approval of this Permit, this approval shall expire and become void unless an extension of time has been granted pursuant to the provisions of Section 22.64.060 of the Land Use Ordinance.

If the use authorized by this Conditional Use Permit approval, once established, is or has been unused, abandoned, discontinued, or has ceased for a period of six months (6) or conditions have not been complied with, such Conditional Use Permit approval shall become void.

Pursuant to County Real Property Division Ordinance Section 21.04.020, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days from the date of this action, in writing, to the Department of Planning and Building. The appeal fee is \$850.00.00 and must accompany your appeal form.

If you have questions regarding your project, please contact your **Project Manager, Holly Phipps**, at (805) 781-5600. If you have any questions regarding these procedures, please contact me at (805) 781-5718.

Sincerely,

A handwritten signature in cursive script, reading "Nicole Retana".

NICOLE RETANA, SECRETARY
COUNTY SUBDIVISION REVIEW BOARD

cc: Public Works Department
COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

FINDINGS - EXHIBIT A
Conditional Use Permit / SUB2008-00046

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 3, 2010 for this project. Mitigation measures are proposed to address aesthetics, air quality, biological resources, geology/soils, noise, public services/utilities, water, and transportation/circulation and are included as conditions of approval.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed commercial development does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed commercial development will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Vineyard Drive, a road which is located in the Templeton Road Fee area and is subject to road fees which will mitigate for the increase in traffic resulting from the project.

Adjustment

- G. Shared on-site parking is appropriate because the project includes two or more nonresidential uses and the total number of adjusted spaces for the entire center (92), is no less than the number of spaces for the single use (Building E) which is required to provide the most parking which is 43 spaces.
- H. An off-site parking adjustment is appropriate because the most distant parking space is located within 400 feet of one of the proposed uses, the project has been conditioned to require a lease agreement for the off-site parking, and it can be demonstrated that the principal use of the site is allowable within the Residential Suburban category.

CONDITIONS OF APPROVAL- EXHIBIT B
Conditional Use Permit / SUB2008-00046

Approved Development

1. This approval authorizes
 - a. The subdivision of an existing 2.85 acre parcel into six parcels ranging in size from 9,021 square feet to 19,475 square feet for development of a retail center.
 - b. Development of five commercial buildings of 3,128, 4,576, 4,964 and 5,145 square feet each totaling approximately 21,000 square feet.
2. Proposed specific uses of the structures shall be subject to review and approval of the change in building occupancy by the Building Division of the Department of Planning and Building prior to issuance of a business license. Proposed uses shall also be subject to the review and approval of the Department of Planning and Building to determine conformity with applicable Land Use Ordinance requirements and conditions of this approval including but not limited to allowed uses, number of parking spaces required, and signage proposed.
3. In addition to the following conditions of approval, the applicant shall comply with the conditions of approval for CO 08-0115 regarding access and improvements, improvement plans, drainage, and utilities.

Conditions required to be completed at the time of application for construction permits

Site Development

4. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, architectural elevations, color boards, and shall be in compliance with the Templeton Design Plan.
5. **(VS-1) At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed buildings consistent with the approved conceptual plans color boards structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator with Building B to be reduced by two chromo values. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures.
6. **(VS-2) At the time of application for construction permits**, the applicant shall provide an exterior lighting plan consistent with the approved conceptual plans. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from Highway 101, Vineyard Drive, and Ag Hill Road. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first. The height of free standing or security outdoor lighting fixtures shall be kept as low as is practically possible and no higher than 3 feet (on the northern most parking lot, closest to Ag Hill Road) so that they are not visible from Highway 101, Vineyard Drive, and Ag Hill Road. Security lighting shall be shielded so as not to create glare when viewed from Highway 101, Vineyard Drive, and Ag Hill Road.

7. **(VS-3) At the time of application for construction permits**, the applicant shall comply with the approved signage plan. No signs shall be constructed, displayed or altered without first obtaining a sign permit (Zoning Clearance). Parcel Signage is defined as wall signage (including freeway oriented wall signs), marquee, suspended, marquees projecting signs and others as allowed in a Commercial land use category, set forth by the Land Use Ordinance, Section 22.20.060.1.(a-e) in addition to the following provisions:
- a. Parcel 1 (Building E), Parcel 4 (Building C), and Parcel 5 (D) shall have a maximum of 100 square feet of signage area each.
 - b. Parcel 2 (Building A) and Parcel 3 (Building B) shall have a maximum of 150 square feet of signage area each.
 - c. Freeway Oriented Wall signs (wall mounted) shall be allowed on Buildings A, B, C, and D. These signs shall be uniform, by maintaining a visible lettering size proportion in height (15 inches) and length (15 inches) for each letter, not to exceed 15 percent of the building face which may include the logo, not to exceed 4 square feet. Freeway Oriented Wall signs may be located on the parapet since a majority of the buildings are covered by topography and landscaping.
 - d. The proposed Shopping Center is allowed a Monument sign (totaling 60 square feet and the height shall not exceed 36 inches) located at the entrance that may display the name of the center. This Monument sign may be located within the County Right-of-Way if authorized with an encroachment permit. An additional Monument sign **(5 feet in height and 4 feet wide)** is allowed 100 feet inside the driveway entrance that may display the tenants names. The tenant names on this Monument sign shall be allotted the same size and proportion and shall have a uniform color. These Monument signs shall not be internally illuminated.
 - e. Wall signs for each business or tenant, with the number of such signs allowed being equivalent to the number of building faces having a public entrance to the business. The allowed area for the wall signs shall be 15 percent of the building face, up to a maximum of 80 square feet. Such wall signs may be located on building faces other than those with public entrances.
 - f. One suspended sign with a maximum area of 10 square feet for each business or tenant.
 - g. One projecting sign with a maximum area of 20 square feet for each business or tenant.
 - h. Marquee signing for each business or tenant, with a maximum area of 40 square feet.
 - i. Internally illuminated signage is prohibited.
 - j. Signs shall only use shielded light fixtures mounted on the top of the sign structure and shall not exceed 1 foot candle reflected at 10 feet.
8. **(VS-4) At the time of application for construction permits**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications consistent with the approved conceptual plans to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.16 Landscaping Standards of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately screen between the western property line and Buildings B, C, D and the parking lot. The landscape plan shall utilize only plant material consistent with the LUO's Landscape Standards/ Plan Section. All landscaping plans shall contain a note, signed by a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman), certifying that the plant materials specified in the plan are consistent with Section 22.16 of the San Luis Obispo County Land use Ordinance.

9. **(VS-5) At the time of application for construction permits**, all plans shall indicate retaining walls, sound walls, and understories to be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Highway 101, Vineyard Drive, and Ag Hill Road. Landscaping that will either screen from in front or grow over from above the wall shall be established prior to final inspection or issuance of a certificate of occupancy, whichever occurs first.

Fire Safety

10. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the Templeton Fire Department for this proposed project and dated 1/14/2009.

Services

11. **At the time of application for construction permits**, the applicant shall provide a letter from Templeton Community Services District stating they are willing and able to service the property.

Conditions to be completed prior to issuance of a construction permit

Fees

12. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school, public facilities fees and Templeton Road Fees.

Mitigations / Air Quality

13. **(AQ-1) Prior to construction/grading permit issuance**, the construction plans shall show that the following measures shall be implemented during the grading and hauling phases to reduce toxic diesel impacts to sensitive receptor:
- a. No idling shall be allowed for diesel on-road trucks or off-road equipment;
 - b. Signs shall be posted in the designated queuing areas and job site to remind drivers/operators of the no idling requirement;
 - c. Hauling shall be accomplished during off school hours;
 - d. Use double haul trailers whenever possible to significantly reduce the number of round trips necessary to export the material.

Prior to commencement of the above construction activities, the applicant shall notify APCD, by letter, that the above air quality mitigation measures have been applied.

14. **(AQ-2) During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading, tract improvement plans, and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such **persons** shall be provided to the APCD prior to commencement of construction.
- a. Reduce the amount of disturbed area where possible.
 - b. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
 - c. All dirt stock-pile areas shall be sprayed daily as needed.

ATTACHMENT 2

- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.
 - e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
 - j. A stabilized construction entrance shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment shall be washed off before leaving the site.
 - k. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
15. **(AQ-3) Prior to issuance of grading permit**, the applicant shall contact the APCD and submit a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA), is present with the area that will be disturbed. If NOA is not present, an exemption request must be filed with the **District**. If no NOA is found at the site the applicant must comply with all the requirements outlined in the Asbestos ATCM.
16. **(AQ-4) Prior to issuance of construction permit for parcel improvements** and individual lot development, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: 50-hp portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.
17. **(AQ-5) Prior to commencement of construction activities**, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.
18. **(AQ-6)** As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted (805/781-5912).

19. **(AQ-7) Prior to construction permit issuance**, in order to reduce greenhouse gas (GHG) emissions, the project shall include measures that surpass Title 24, 2008 Standards by 10% or more. The following measures shall be incorporated into the project and shown on all applicable plans. Provide parking lot areas with 50% tree cover within 10 years of construction or provide parking lot areas with 50% shade coverage by using trees and shade structures (e.g. trellises, etc) or by using the Templeton Design Plan requirements for landscaping in parking lots and a pavement material with lower albedo levels than asphalt (substitution must be approved by APCD and the Planning Department) Tree species shall be low emitting, low maintenance, native, and drought resistant. Once trees have been planted and prior to occupancy or final inspection, whichever occurs first, the applicant shall retain a qualified individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted, and all measures installed to improve the long term success of these trees. This letter shall be submitted to the Department of Planning and Building.

In addition, a combination of additional measures from the following list shall be incorporated into the project and shown on all applicable plans. Prior to construction permit issuance, the applicant shall provide evidence that all of the combined measures result in a 10 percent improved energy efficiency than the Title 24, 2008 Standards. If not feasible, evidence/justification shall be provided to APCD and the Planning Department.

Here is a list of some of the measures that might be used to meet this goal.

- a. Wall R-21 insulation level with advanced framing techniques applied
- b. R-38 ceiling
- c. Mechanical- 93% AFUE and 13SEER/11EER
- d. Fixed Temperature Economizers
- e. Ducts in conditioned space as possible
- f. Domestic Hot Water
- g. Small Tank point of use units
- h. Day lighting measures
- i. Balance installation of high performance sun tubes through out
- j. Electric Lighting Measures
- k. Title 24 compliance assumed

Alternative mitigation measures from Appendix B of the CAPCOA document (CAPCOA; 2008) may be incorporated/substituted for the ones above based on the applicability to the site and project and approved by County staff. LEED guideline items may be used as well upon approval from APCD and the Planning and Building Department. Even though the LEED guidelines are not part of Title 24 standards, they will help achieve construction of a building with high green standards.

Mitigations / Trees

20. **(TR-1)** The applicant shall limit tree removal to no more than 13 oak trees having a five inch diameter or larger at four feet from the ground and no more than 32 trees impacted (An oak tree is defined as having a five inch diameter or larger at four feet from the ground). **Prior to construction permit issuance**, construction plans shall clearly delineate all trees the limits of grading of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed. **Prior to any ground disturbing activities**, adequate protection measures (e.g., sturdy fencing) per the approved construction plans, shall be installed to protect those trees identified to remain unharmed as well as to minimize impacts for those trees identified as being impacted.

21. **(TR-2)** **At the time of application for construction permits**, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of

oak trees to mitigate for trees impacted but not removed. No more than 13 oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than 32 trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). **A total of 116 oak trees (98 coast live oaks and 18 valley oaks) will be required to be replanted.** The replanting of 24 oak trees shall be completed on-site and the remainder oak trees to be planted on a nearby off-site location to be approved by the Planning Department in consultation with the Environmental Division. The Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, plantings shall be during the warmest, driest months.

22. **(TR-3)** To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established (for oak woodlands, no less than seven years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.
23. **(TR-4)** All trees to remain on-site that are within the limits of grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced **prior to any grading or site grubbing**. The outer edge of the tree root zone to be fenced will be outside of the canopy 1/2 again the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1-1/2 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided (per approved construction plans), retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

Mitigations / Nesting Birds - Construction and Grading Activities

24. **(B-1)** If possible, to avoid potential impacts to nesting birds (including but limited to the White-tailed Kite and Loggerhead Shrike), construction and grading activities shall take place outside the bird nesting season, which is March 15th to August 15th. If construction or grading activities occur during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall

be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

Mitigations / Nesting Birds - Tree Removal

25. **(B-2)** If possible, to avoid potential impacts to nesting birds (including but limited to the White-tailed Kite and Loggerhead Shrike), tree removal associated with project activities shall be limited outside the bird nesting season, which is March 15th to August 15th. However, if tree removal is required during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

Mitigations / Special Status Animals

26. **(B-3)** Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, a county approved biologist shall conduct a pre-activity (i.e. pre-construction) survey potential for the potential presence of Pallid Bats, Western Spadefoot Toad, CA, Red-legged frog and the American Badger. The applicant shall submit a letter from the biologist to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any of the above stated species activity within the project limits.

Condition Compliance

27. **At the time of application for construction permit**, the applicant shall submit a condition compliance package to the Planning Department that details each condition of approval. This package shall verify how each condition of approval has been met or will be met, with supporting documentation.
28. **Prior to issuance of construction permits for tenant improvements or Business License**, the applicant shall provide parking calculations for the proposed tenant and a running total for the entire center. All parking calculation must be in compliance with the Land Use Ordinance.
29. **Prior to issuance of construction permits for tenant improvements**, the applicant shall provide a signed agreement from each new tenant which documents their understanding of the conditions of approval and ordinance standards relating to hours of operation, lighting, truck maneuvering and temporary and permanent signage. The agreement must also list the name and contact information for the tenant.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

30. **Prior to occupancy or final inspection, whichever comes first**, the public improvements for CO 08-0115 shall be completed prior to occupancy of any new structure.

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31. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
32. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from the Templeton Fire Department of all required fire/life safety measures.
33. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

34. **Prior to occupancy or final building inspection**, the applicant shall complete the road vacation procedure for the off-site (northern) portion of Ag Hill Road.
35. **Prior to occupancy or final building inspection**, the applicant shall record a parking lease for off-site parking in a form acceptable to County Counsel.
36. This land use permit is valid for a period of 24 months from the map recordation date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
37. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

FINDINGS - EXHIBIT C
Parcel Map

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 3, 2010 for this project. Mitigation measures are proposed to address aesthetics, air quality, biological resources, geology/soils, noise, public services/utilities, water, and transportation/circulation and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Commercial Retail land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of 20,878 square feet of commercial buildings.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support five commercial buildings.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because mitigation measures have been determined in order to mitigate the impacts resulting from this project to a level of insignificance.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Road Abandonment

- J. The proposed abandonment of a portion of the AG Hill Road right-of-way totaling 6,280 square feet is consistent with the General Plan. The small portion of roadway is not specifically designated in the Circulation Element as being crucial to the county's circulation system. The current alignment of AG Hill Road provides sufficient access to parcels in the area.
- K. The abandonment of a portion of the AG Hill Road right-of-way totaling 6,280 square feet complies with the provisions of Section 66434(g) of the Subdivision Map Act, which provides that public streets and public easements may be abandoned by recording a Final Map specifically calling out the abandonment of such.

**CONDITIONS - EXHIBIT D
PARCEL MAP / CO 08-0115**

Approved Project

1. This approval authorizes

- a. The subdivision of an existing 2.85 acre parcel into 6 parcels ranging in size from 9,021 square feet up to 19,475 square feet,
- b. Development of five commercial buildings totaling approximately 21,000 square feet on the resulting parcels and the remainder of the property would remain as private open space.
- c. The project also includes the abandonment of a portion of Ag Hill Road.

Access and Improvements

2. Road and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:

- a. Vineyard Drive:
 - i. Shall be widened to complete the project side of an A-3 section fronting the property.
 - i.i. Shall be striped for a two-way left-turn lane, based on a striping plan approved by the Public Works Department.
- b. The private Un-named road which provides access to Lots 1, 3, 4-6 shall:
 - i. Be constructed to a modified A-3 commercial – industrial road section as shown on the Tentative Map to Templeton Fire Department Standards within a private access easement of sufficient width to contain all elements of the roadway prism and terminate in a Templeton Fire Department standard cul-de-sac or other Templeton Fire Department approved terminus.
 - i.i. Be constructed to accommodate California legal 60 foot long trucks with semi-trailers as shown on the approved Phase I Truck Turning Plan (Sheet A-1t).

3. Roads and/or streets to be maintained as follows:

- a. The following streets/roads: Vineyard Drive shall be accepted for County maintenance following completion and certification of the improvements. No maintenance financing service charge shall be required, as these streets/roads are already in the County-maintained system, or are identified as new Principal Arterials, Arterials or Collectors.
- b. The following streets/roads: The private Un-named road which provides access to Lots 1, 3-6 shall not be accepted for County maintenance following completion and certification of the improvements. The developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Public Works.

4. Access shall be denied to Lots 2 and 3 from Vineyard Drive, except for one (1) sixty foot (60') wide access opening on Lot 2 located as far east as possible consistent with preservation of the on-site oak trees. These access denials and access opening shall be by certificate and designation on the map.

5. A private easement shall be reserved on the map for access to Lots 1 and 3-6.

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6. All grading shall be done in accordance with Appendix Chapter 33 of the 1997 Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

7. Improvement plans shall be prepared in accordance with San Luis Obispo County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.
8. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
9. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
10. A final soils report by a Registered Civil Engineer shall be submitted for review prior to the final inspection of the improvements.
11. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not longer required.

Improvements / Caltrans

12. The applicant shall delineate on the grading/drainage plans Caltrans (CT) access control and Right-of-Way (R/W) lines.
13. Caltrans shall not allow grading that compromises the structural integrity of U.S. 101 ramps or mainline segments. The applicant shall attain an encroachment permit including an exception will be needed from Caltrans for grading activities.
14. The proposed retaining walls along U.S. 101 north-bound on-ramp shall maintain a certain distance away from the CT R/W fence line. The general rule of thumb for that distance is the height of the wall (from finish grade to top of wall) "H" distance from the R/W line. So if height of the retaining wall from the finish grade to the top of the wall is 10 feet, then the retaining wall must be 10 feet from the CT R/W fence.

Drainage

15. All existing drainage features are to be contained in drainage easement(s) dedicated on the map, to the satisfaction of the Department of Public Works.
16. Submit complete drainage calculations to the Department of Public Works for review and approval. If calculations so indicate, drainage must be detained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity to incorporate LID features to the extent feasible.
17. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
18. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Utilities

19. All existing and new electric, telephone and/or cable television lines shall be installed underground and service laterals shall be stubbed to each lot.
20. Gas lines shall be installed and service laterals stubbed to each lot.
21. Utility easements, as required by the utility company, shall be shown on the final Parcel Map.

Fire Protection

22. The applicant shall obtain a fire safety clearance letter from the Templeton Department establishing fire safety requirements listed in the Fire Letter dated January 14, 2009, prior to filing the final parcel or tract map.

Parks and Recreation (Quimby) Fees

23. For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Inclusionary House Fees

24. Prior to filing the final parcel map or tract map, the applicant shall enter into an inclusionary housing agreement to insure the construction of inclusionary housing unit(s), in conformance with Section 22.12.080. As an alternative, the applicant may pay the residential in-lieu fee pursuant to Section 22.12.080.C.2.b, or defer in-lieu fee payment pursuant to Section 22.12.080.J.4.c.

Road Fees

25. The project is located in the Templeton Area "A" Road Fee Area. Current Road Fees shall be paid to County Public Works prior to issuance of Building Permits.

Additional Map Sheet

26. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
 - a. Development shall comply with all conditions of approval of Conditional Use Permit SUB 2008-00046.

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- b. If a fenced drainage basin is required, on-going maintenance of drainage basin fencing, in perpetuity.
- c. If a drainage basin is required, on-going maintenance of drainage basin and adjacent landscaping in a viable condition on a continuing basis into perpetuity.
- d. Maintenance of all streets/roads within the subdivision, including the requirement that the streets/roads continuously accommodate California legal 60 foot long trucks with semi-trailers as shown on the approved Phase I Truck Turning Plan (Sheet A-1t), in perpetuity.
- e. Maintenance of all common areas within the subdivision in perpetuity.
- f. Require that current and future owners of any lot are responsible to notify suppliers of goods and services that all delivery trucks shall park and turn around within the boundary of Parcel Map CO 08-0115 when making deliveries. And that said owners shall notify any lessee of this requirement. The Pinnacle Traffic Engineering letter dated December 11, 2009, which includes design truck specifications and 2 exhibits showing on-site maneuvering shall be included as an exhibit in the CC&R's.
- g. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter from the Templeton Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- h. **Prior to issuance of construction permits**, the applicant shall pay all applicable Templeton Road Impact Fees as determined by the Department of Public Works.

Templeton's Community Design Plan and Title 22

- i. Construction plans for all future construction shall show compliance with Templeton's Community Design Plans standards for commercial buildings and applicable requirements of Title 22.

Mitigations / Air Quality

- j. **(AQ-1) Prior to construction/grading permit issuance**, the construction plans shall show that the following measures shall be implemented during the grading and hauling phases to reduce toxic diesel impacts to sensitive receptor:
 - 1. No idling shall be allowed for diesel on-road trucks or off-road equipment;
 - 2. Signs shall be posted in the designated queuing areas and job site to remind drivers/operators of the no idling requirement;
 - 3. Hauling shall be accomplished during off school hours;
 - 4. Use double haul trailers whenever possible to significantly reduce the number of round trips necessary to export the material.

Prior to commencement of the above construction activities, the applicant shall notify APCD, by letter, that the above air quality mitigation measures have been applied.

- k. **(AQ-2) During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading, tract improvement plans, and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such **persons** shall be provided to the APCD prior to commencement of construction.
 - 1. Reduce the amount of disturbed area where possible.

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2. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
 3. All dirt stock-pile areas shall be sprayed daily as needed.
 4. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.
 5. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
 6. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 7. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
 10. A stabilized construction entrance shall be installed where vehicles enter and exit unpaved roads onto streets, or trucks and equipment shall be washed off before leaving the site.
 11. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- l. **(AQ-3) Prior to issuance of grading permit**, the applicant shall contact the APCD and submit a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA), is present with the area that will be disturbed. If NOA is not present, an exemption request must be filed with the **District**. If no NOA is found at the site the applicant must comply with all the requirements outlined in the Asbestos ATCM.
- m. **(AQ-4) Prior to issuance of construction permit for parcel improvements** and individual lot development, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: 50-hp portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.
- n. **(AQ-5) Prior to commencement of construction activities**, the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.
- o. **(AQ-6)** As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must

complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted (805/781-5912).

- p. **(AQ-7) Prior to construction permit issuance**, in order to reduce greenhouse gas (GHG) emissions, the project shall include measures that surpass Title 24, 2005 Standards by 10% or more. The following measures shall be incorporated into the project and shown on all applicable plans. Provide parking lot areas with 50% tree cover within 10 years of construction or provide parking lot areas with 50% shade coverage by using trees and shade structures (e.g. trellises, etc) or by using the Templeton Design Plan requirements for landscaping in parking lots and a pavement material with lower albedo levels than asphalt (substitution must be approved by APCD and the Planning Department) Tree species shall be low emitting, low maintenance, native, and drought resistant. Once trees have been planted and prior to occupancy or final inspection, whichever occurs first, the applicant shall retain a qualified individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted, and all measures installed to improve the long term success of these trees. This letter shall be submitted to the Department of Planning and Building.

In addition, a combination of additional measures from the following list shall be incorporated into the project and shown on all applicable plans. Prior to construction permit issuance, the applicant shall provide evidence that all of the combined measures result in a 10 percent improved energy efficiency than the Title 24, 2005 Standards

Here is a list of some of the measures that might be used to meet this goal.

1. Wall R-21 insulation level with advanced framing techniques applied
2. R-38 ceiling
3. Mechanical- 93% AFUE and 13SEER/11EER
4. Fixed Temperature Economizers
5. Ducts in conditioned space as possible
6. Domestic Hot Water
7. Small Tank point of use units
8. Day lighting measures
9. Balance installation of high performance sun tubes through out
10. Electric Lighting Measures
11. Title 24 compliance assumed

Alternative mitigation measures from Appendix B of the CAPCOA document (CAPCOA; 2008) may be incorporated/substituted for the ones above based on the applicability to the site and project and approved by County staff. LEED guideline items may be used as well upon approval from APCD and the Planning and Building Department. Even though the LEED guidelines are not part of Title 24 standards, they will help achieve construction of a building with high green standards.

Mitigations / Visual

- q. **(VS-1) At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed consistent with the approved conceptual plans structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator with building B to be reduced by two

chromo values. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc.. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures.

- r. **(VS-2) At the time of application for construction permits**, the applicant shall provide an exterior lighting plan consistent with the approved conceptual plans. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from Highway 101, Vineyard Drive, and Ag Hill Road. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

The height of free standing or security outdoor lighting fixtures shall be kept as low as is practically possible and no higher than 3 feet (on the northern most parking lot, closest to Ag Hill Road) so that they are not visible from Highway 101, Vineyard Drive, and Ag Hill Road.

Security lighting shall be shielded so as not to create glare when viewed from Highway 101, Vineyard Drive, and Ag Hill Road.

- s. **(VS-3) At the time of application for construction permits, the applicant shall comply with the approved a signage plan.** No signs shall be constructed, displayed or altered without first obtaining a sign permit (Zoning Clearance). Parcel Signage is defined as wall signage (including freeway oriented wall signs), marquee, suspended, marquees projecting signs and others as allowed in a Commercial land use category, set forth by the Land Use Ordinance, Section 22.20.060.1.(a-e) in addition to the following provision:

1. Parcel 1 (Building E), Parcel 4 (Building C), and Parcel 5 (D) shall a maximum of 100 square feet of signage area each.
2. Parcel 2 (Building A) and Parcel 3 (Building B) shall have a maximum of 150 square feet of signage area each.
3. Freeway Oriented Wall signs (wall mounted) shall be allowed on Buildings A, B, C, and D. These signs shall be uniform, by maintaining a visible lettering size proportion in height (15 inches) and length (15 inches) for each letter, which may include the logo, not to exceed 4 square feet. Freeway Oriented Wall signs may to locate on the parapet since a majority of the buildings are covered by topography and landscaping.
4. The proposed Shopping Center is allowed a Monument sign (totaling 60 square feet and the height shall not exceed 36 inches) located at the entrance that may display the name of the center. This Monument sign may be located within the County Right-of-Way if authorized with an encroachment permit. An additional Monument sign **(5 feet in height and 4 feet wide)** is allowed 100 feet inside the driveway entrance that may display the tenants names. The tenant names on this Monument sign shall be allotted the same size and proportion and shall have a uniform color. These Monument signs shall not be internally illuminated.
5. Wall signs for each business or tenant, with the number of such signs allowed being equivalent to the number of building faces having a public entrance to the business. The allowed area for the wall signs shall be 15 percent of the building

face, up to a maximum of 80 square feet. Such wall signs may be located on building faces other than those with public entrances.

6. One suspended sign with a maximum area of 10 square feet for each business or tenant.
 7. One projecting sign with a maximum area of 20 square feet for each business or tenant.
 8. Marquee signing for each business or tenant, with a maximum area of 40 square feet.
 9. Internally illuminated signage is prohibited.
 10. Signs shall only use shielded light fixtures mounted on the top of the sign structure and shall not exceed 1 foot candle reflected at 10 feet.
- a. **(VS-4) At the time of application for construction permits**, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications consistent with the approved conceptual plans to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 22.16 Landscaping Standards of the San Luis Obispo County Land Use Ordinance and shall provide vegetation that will adequately screen between the western property line and Buildings B, C, D and the parking lot.
- The landscape plan shall utilize only plant material consistent with the LUO's Landscape Standards/ Plan Section.
- All landscaping plans shall contain a note, signed by a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman), certifying that the plant materials specified in the plan are consistent with Section 22.16 of the San Luis Obispo County Land use Ordinance.
- b. **(VS-5) Retaining** walls, sound walls, and understories shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Highway 101, Vineyard Drive, and Ag Hill Road. Landscaping that will either screen from in front or grow over from above the wall shall be established prior to final inspection or issuance of a certificate of occupancy, whichever occurs first.

Mitigations / Trees

- c. **(TR-1)** The applicant shall limit tree removal to no more than 13 oak trees having a five inch diameter or larger at four feet from the ground and no more than 32 trees impacted (An oak tree is defined as having a five inch diameter or larger at four feet from the ground). **Prior to construction permit issuance**, construction plans shall clearly delineate all trees the limits of grading of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed. **Prior to any ground disturbing activities**, adequate protection measures (e.g., sturdy fencing) per the approved construction plans, shall be installed to protect those trees identified to remain unharmed as well as to minimize impacts for those trees identified as being impacted.
- d. **(TR-2) At the time of application for construction permits**, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not

removed. No more than 13 oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than 32 trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). **A total of 116 oak trees (98 coast live oaks and 18 valley oaks) will be required to be replanted.** The replanting of 24 oak trees shall be completed on-site and the remainder oak trees to be planted on a nearby off-site location to be approved by the Planning Department in consultation with the Environmental Division. The Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months.

- e. **(TR-3)** To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established (for oak woodlands, no less than seven years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

- f. **(TR-4)** All trees to remain on-site that are within the limits of grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced **prior to any grading or site grubbing**. The outer edge of the tree root zone to be fenced will be outside of the canopy 1/2 again the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1-1/2 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided (per approved construction plans), retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

Mitigations / Nesting Birds - Construction and Grading Activities

- g. **(B-1)** If possible, to avoid potential impacts to nesting birds (including but limited to the White-tailed Kite and Loggerhead Shrike), construction and grading activities shall take place outside the bird nesting season, which is March 15th to August 15th. If construction or grading activities occur during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

Mitigations / Nesting Birds - Tree Removal

- h. **(B-2)** If possible, to avoid potential impacts to nesting birds (including but limited to the White-tailed Kite and Loggerhead Shrike), tree removal associated with project activities shall be limited outside the bird nesting season, which is March 15th to August 15th. However, if tree removal is required during the bird nesting season, a survey for nesting birds shall be conducted within two weeks prior to ground disturbing activities by a qualified biologist in and adjacent to the project area. If nesting birds are found to be located within or adjacent to the project area, an appropriate buffer area shall be established by a qualified biologist to ensure protection of the nesting birds. The biologist shall determine the appropriate buffer distance based on the bird species, topography, vegetation, and type of disturbance. At a minimum, the buffer area shall be delineated with brightly colored construction fencing. No construction, grading, or equipment staging activities shall occur within the buffer area, which shall remain in place until the biologist has determined that the young have fledged from the nest.

Mitigations / Special Status Animals

- i. **(B-3)** Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, a county approved biologist shall conduct a pre-activity (i.e. pre-construction) survey potential for the potential presence of Pallid Bats, Western Spadefoot Toad, CA, Red-legged frog and the American Badger. The applicant shall submit a letter from the biologist to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any of the above stated species activity within the project limits.

Condition Compliance

- j. **At the time of application for construction permit**, the applicant shall submit a condition compliance package to the Planning Department that details each condition of approval. This package shall verify how each condition of approval has been met or will be met, with supporting documentation.
- k. **Prior to issuance of construction permits for tenant improvements**, the applicant shall provide parking calculations for the proposed tenant and a running total for the entire center. All parking calculation must be in compliance with the Land Use Ordinance.

- I. **Prior to issuance of construction permits for tenant improvements**, the applicant shall provide a signed agreement from each new tenant which documents their understanding of the conditions of approval and ordinance standards relating to hours of operation, lighting and temporary and permanent signage. The agreement must also list the name and contact information for the tenant.

Covenants, Conditions and Restrictions

27. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
 - a. If a fenced drainage basin is required, on-going maintenance of drainage basin fencing, in perpetuity.
 - b. If a drainage basin is required, on-going maintenance of drainage basin and adjacent landscaping in a viable condition on a continuing basis into perpetuity.
 - c. Maintenance of all streets/roads within the subdivision, including the requirement that the streets/roads continuously accommodate California legal 60 foot long trucks with semi-trailers as shown on the approved Phase I Truck Turning Plan (Sheet A-1t), in perpetuity.
 - d. Maintenance of all common areas within the subdivision in perpetuity.
 - e. Require that current and future owners of any lot are responsible to notify suppliers of goods and services that all delivery trucks shall park and turn around within the boundary of Parcel Map CO 08-0115 when making deliveries. And that said owners shall notify any lessee of this requirement. The Pinnacle Traffic Engineering letter dated December 11, 2009, which includes design truck specifications and 2 exhibits showing on-site maneuvering shall be included as an exhibit in the CC&R's.
 - f. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

Miscellaneous

28. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
29. Prior to sale or development of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the County.
30. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.
31. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

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STOCK APPROVAL CONDITIONS FOR SUBDIVISIONS
WITH COMMUNITY WATER AND SEWER

1. Community water and fire protection is to be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions and related facilities (except well(s)) may be bonded subject to the approval of the County Engineer and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the San Luis Obispo County Health Department.
5. When a potentially operational or operational existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "will serve" letter be obtained and submitted to the county Health and Planning Departments for review and approval stating that community sewer system service is available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of the County Engineer and sewer district.
8. No building permits are to be issued until community sewers are operational and available for connection.
9. An encroachment permit be obtained from the County Engineer for any work to be done within the county right-of-way.
10. An encroachment permit be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. Prior to submission of the map checkprints to the county Engineering Department, the project must be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements be shown on the map.
14. Approved street names must be shown on the map.
15. The applicant must comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.

ATTACHMENT 2

16. The developer submit a preliminary subdivision guarantee to the County Engineer for review prior to the filing of the map.
17. Any private easements on the property must be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, are to be complied with prior to the filing of the map.
19. After approval by the review authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Promoting the wise use of land

SUBDIVISION REVIEW BOARD

MEETING DATE October 5, 2020	CONTACT/PHONE Stephanie Fuhs (805) 781-5721 sfuhs@co.slo.ca.us	APPLICANT Dioselina LeBlanc	FILE NO. CO 14-0099 SUB2014-00027 EXT2020-00033
SUBJECT A request for a Fourth Time Extension by Dioselina LeBlanc for a Tentative Parcel Map (CO14-0099) to subdivide an existing approximately two (2) acre parcel into two parcels of one (1) acre each, for the purpose of sale and/or development. The application included an adjustment to the design criteria required by Section 21.03.010 that limits the depth of a parcel to no more than three times the average width of a parcel. The parcel map will include site disturbance associated with fronting road improvements, utility trenching and potential disturbance for drainage improvements. The site is currently developed with an existing primary single-family residence, secondary manufactured residence, and workshop. The site lies at the northeast corner of Osage Street and Pajaro Lane in the community of Nipomo. The site is within the South County Inland Sub-area of the South County Planning Area.			
RECOMMENDED ACTION Approve the fourth time extension request for Tentative Parcel Map CO 14-0099.			
ENVIRONMENTAL DETERMINATION A Class 15 Categorical Exemption (ED14-107) was issued on October 27, 2014.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None applicable	ASSESSOR PARCEL NUMBER 092-473-035	SUPERVISOR DISTRICT(S): 4
PLANNING AREA STANDARDS: Section 22.98.070 South County Planning Area – South County Sub-Area standards Section 22.108.040 Nipomo Community Standards			
LAND USE ORDINANCE STANDARDS: Section 21.03.010 – Design Criteria – Factors to be considered; Section 21.03.020 – Adjustments; Section 21.09.010 – Quimby Fees; Section 22.12.080 – Inclusionary Housing Fee; Section 22.22.070 – Minimum Parcel Size – Residential Suburban land use category; Section 22.10.140 – Setbacks			
EXISTING USES: Single family residence, secondary dwelling, workshop			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban / residences <i>East:</i> Residential Suburban / residences <i>South:</i> Residential Suburban / residences <i>West:</i> Residential Suburban / residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Tentative parcel map was originally referred to: Public Works, Environmental Health, General Services/Parks, Nipomo CSD, South County Advisory Council			
TOPOGRAPHY: Generally level		VEGETATION: Ornamental landscaping	
PROPOSED SERVICES: Water supply: Community system (Golden State Water) Sewage Disposal: Individual septic system Fire Protection: County Fire / Cal Fire		ACCEPTANCE DATE: N/A	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

The applicant, Dioselina LeBlanc, is requesting a fourth one-year time extension for Tentative Parcel Map CO 14-0099 approved by the Subdivision Review Board on August 3, 2015. On August 3, 2020, the applicant requested the fourth one-year time extension and paid the extension application fee. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision-making body.

Tentative Parcel Map CO14-0099 is a request to subdivide an existing approximately two (2) acre-parcel into two parcels of one (1) acre each, for the purpose of sale and/or development. Also considered was an adjustment to the design criteria required by Section 21.03.010 that limits the depth of a parcel to no more than three times the average width of a parcel. The parcel map will include site disturbance associated with fronting road improvements, utility trenching and potential disturbance for drainage improvements. The site is currently developed with an existing primary single-family residence, secondary manufactured residence, and workshop.

This tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

DISCUSSION

The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was August 3, 2017. The applicant requested and the Subdivision Review Board approved a first one-year time extension request on September 11, 2017 and the new expiration date was August 3, 2018. The applicant requested a second one-year time extension and the Subdivision Review Board approved the request on November 5, 2018 and the new expiration date was August 3, 2019. The applicant requested a third one-year time extension and the Subdivision Review Board approved the request on September 9, 2019 and the new expiration date was August 3, 2020. With recent amendments, the Subdivision Map Act now allows up to six (6) one-year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's ***fourth discretionary one-year time extension request***.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one-year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Tentative Parcel Map CO 14-0099 does not qualify for this state mandated extension because the project was approved on August 3, 2015.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty-four (24) months. Tentative Parcel Map CO 14-0099 does not qualify for this state mandated extension because the project was approved on August 3, 2015.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty-four (24) months. Tentative Parcel Map CO 14-0099 does not qualify for this state mandated extension because the project was approved on August 3, 2015.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 it extends the tentative map twenty-four (24) months. Tentative Parcel Map CO 14-0099 does not qualify for this state mandated extension because the project was approved on August 3, 2015.

On January 9, 2017 the Department of Planning and Building and the Department of Public Works approved the applicant's request for a substantial conformance determination to revise the proposed property line location to meet the required 30-foot side building setback for lots over one acre in size. The substantial conformance determination is a staff-level determination separate from and unrelated to the time extension request.

With the Subdivision Review Board's approval of the first one-year time extension request on September 11, 2017 the new expiration date was August 3, 2018. The Subdivision Review Board's approval of the second one-year time extension request on November 5, 2018 extended the tentative map to August 3, 2019. The Subdivision Review Board's approval of the third one-year time extension request on September 9, 2019 extended the tentative map to August 3, 2020.

Staff Determination and Recommendation

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance and remains in compliance with the General Plan and County ordinances.

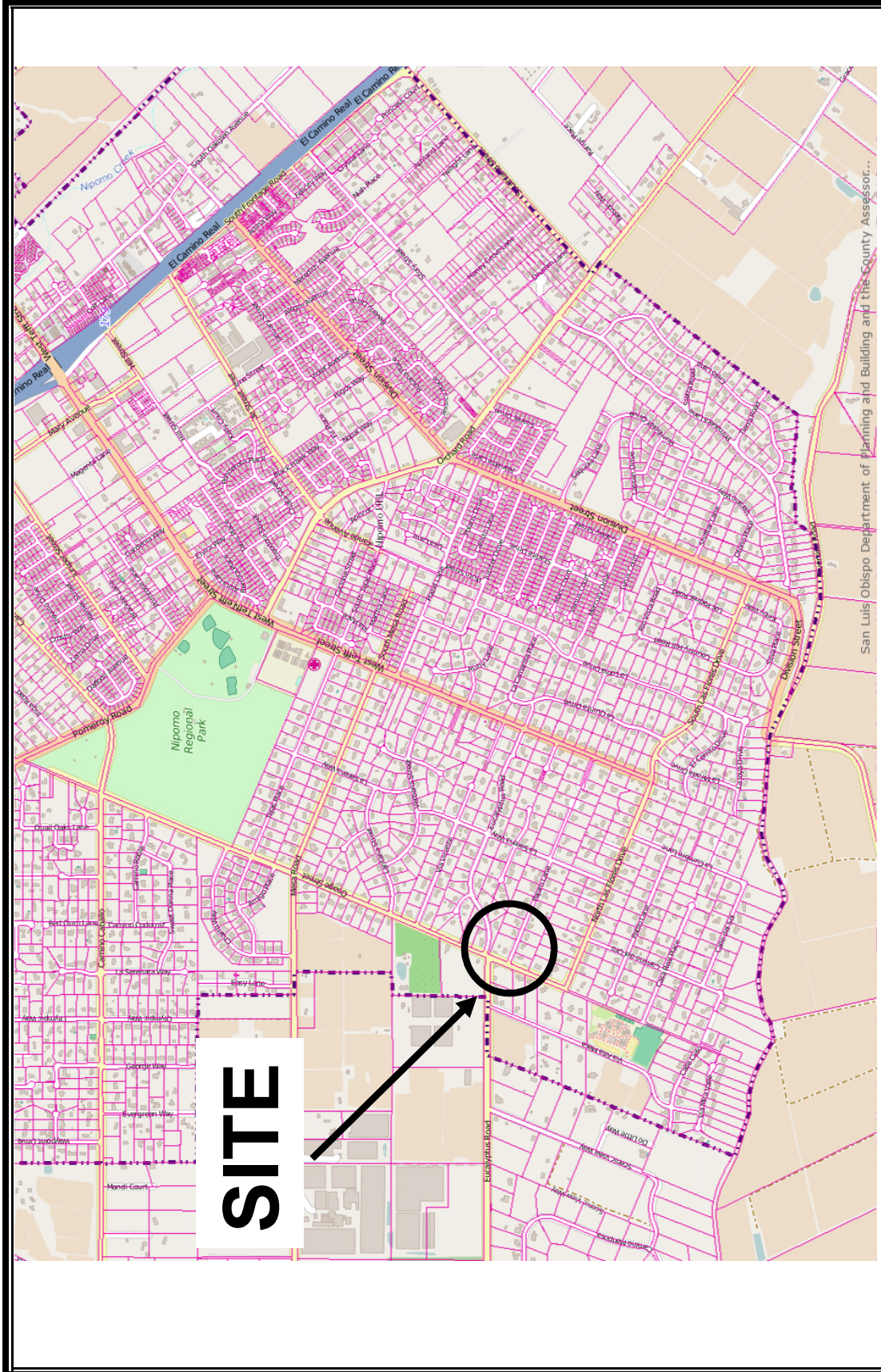
After review of the tentative map, staff recommends to the Subdivision Review Board that the **fourth one-year time extension** be granted to August 3, 2021 subject to the conditions of approval set by the Subdivision Review Board on August 3, 2015.

ATTACHMENTS

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, August 3, 2015

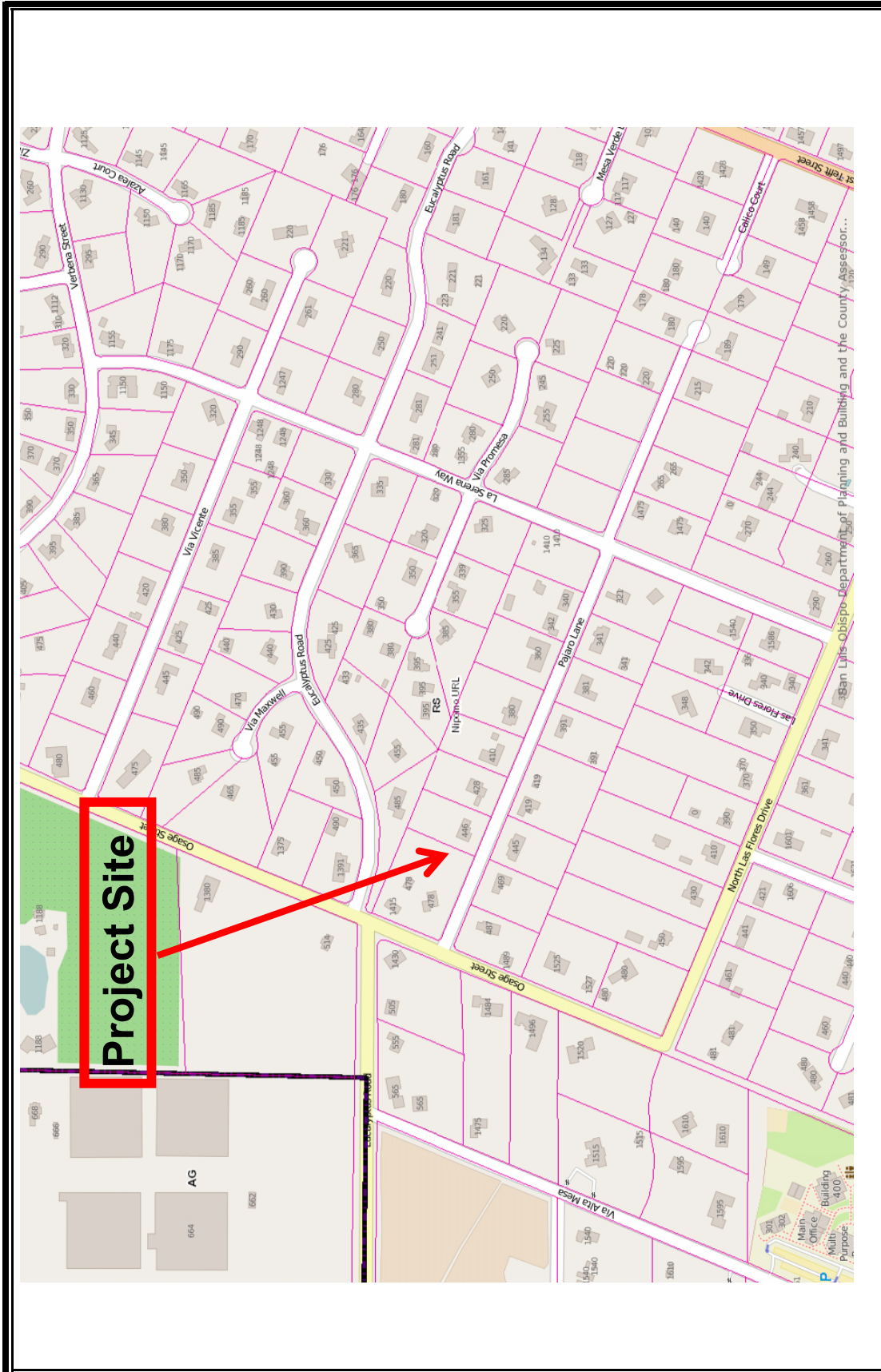
Report prepared by Stephanie Fuhs and reviewed by Terry Wahler, Senior Planner



Vicinity Map
SUB2014-00027/CO 14-0099

COUNTY OF SAN LUIS OBISPO



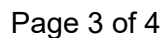


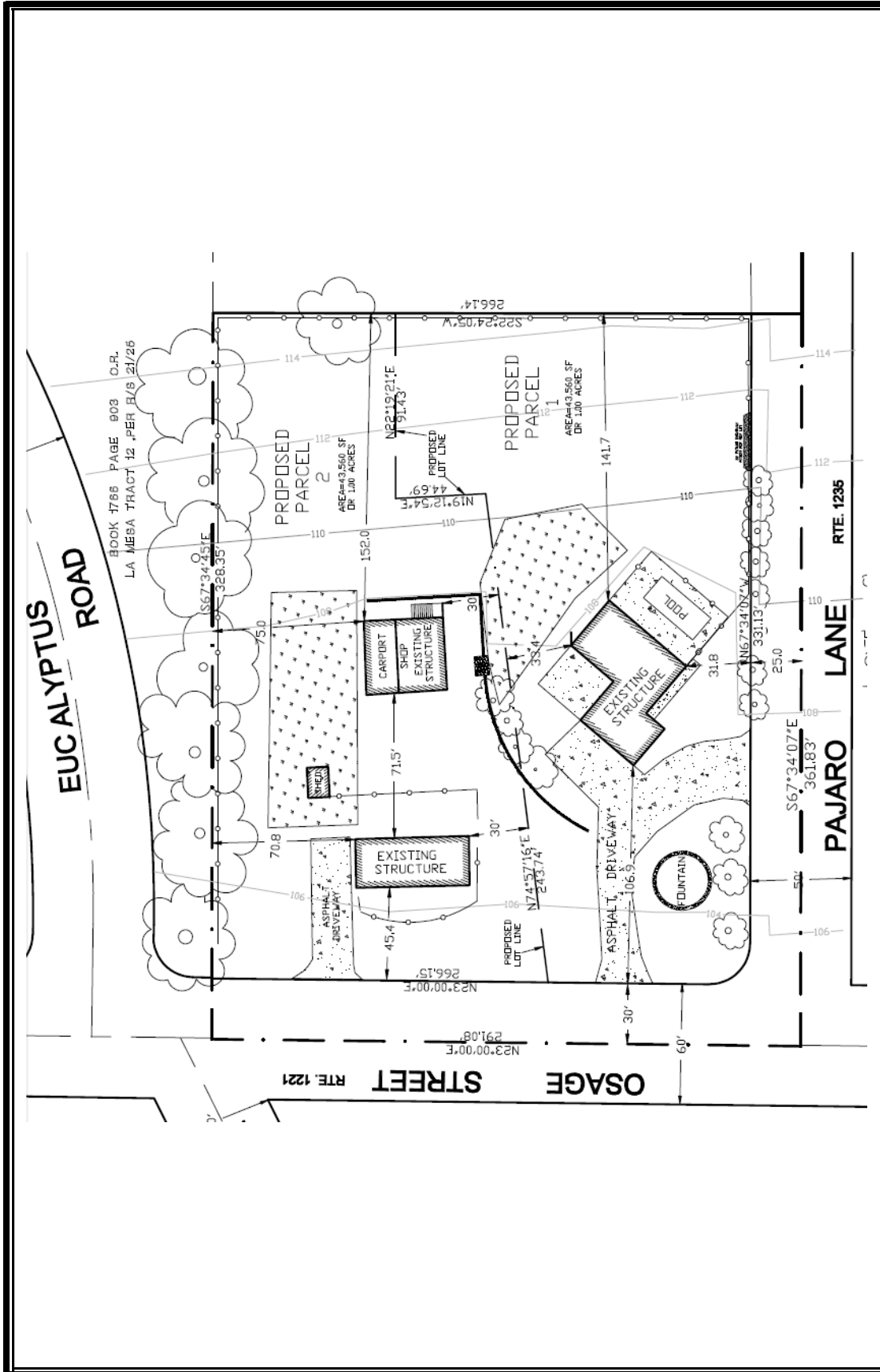
Land Use Category Map
SUB2014-00027/CO 14-0099

COUNTY OF SAN LUIS OBISPO



FOR
SLO- CO14-0099
SANTO LUIS OBISPO COUNTY, CA
PARCEL A, OF PARCEL MAP CO-75-411, DATED OCTOBER 18,
1976, IN BOOK 21, PAGE 16, OF PARCEL MAPS
AS RECORDED IN THE COUNTY RECORDERS OFFICE FOR THE
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.





Site Map
SUB2014-00027/CO 14-0099

COUNTY OF SAN LUIS OBISPO





DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land – Helping to build great communities

August 7, 2015

Dionselina LeBalanc
478 Pajaro Street
Nipomo, CA 93444

NOTICE OF FINAL COUNTY ACTION

HEARING DATE: August 3, 2015

SUBJECT: DIOSELINA LEBLANC
County File Number: SUB2014-00027 / CO 14-0099
Document Number: 2015-009_SRB

LOCATED WITHIN COASTAL ZONE: NO

The above-referenced application was approved on the above-referenced date by the San Luis Obispo County Subdivision Review Board. A copy of the findings and conditions are enclosed. The conditions of approval must be completed as set forth in this document.

An approved or conditionally approved tentative parcel map shall expire twenty-four months after its approval or conditional approval. The expiration of the approved or conditionally approved tentative parcel map or tentative tract map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within such tentative parcel map shall be filed without first processing a new tentative map. Upon application of the divider filed with the Department of Planning and Building prior to the expiration of the approved or conditionally approved tentative parcel map, the Subdivision Review Board may extend or conditionally extend the time at which such map expires for a period or periods not exceeding a total of five years pursuant to the provisions of Sections 66412.3, 66473 and 66474 of the Subdivision Map Act and Section 21.48.080 of the Real Property Division Ordinance. (Sec 21.06.010)

If you disagree with this action, pursuant to County Real Property Division Ordinance Section 21.04.020, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days from the date of the action, in writing, to the Department of Planning and Building. The appeal fee is \$850.00 and must accompany your appeal form. We will only accept the original appeal form with an original signature, as a FAX will not be accepted.

If you have questions regarding your project, please contact your **Project Manager, Megan Martin**, at (805) 781-5629. If you have any questions regarding these procedures, please contact me at (805) 781-5718.

Sincerely,

NICOLE RETANA, SECRETARY
COUNTY SUBDIVISION REVIEW BOARD

cc: Public Works Department

FINDINGS - EXHIBIT A
SUB2014-00027 (CO14-0099) / LEBLANC

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 15) pursuant to CEQA Guidelines Section 15303 because the property is located in an urbanized area (Nipomo) in an area zoned residential suburban. The division involves fewer than four parcels, does not have an average slope greater than 20 percent, and no variances or exceptions are required. All services and access to the proposed parcels to local standards are available, and the parcel has not been involved in a division of a larger parcel within the previous 2 years.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Suburban land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for the future development of a single family residence and its accessory uses.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a single family residence and its allowable accessory uses within the Residential Suburban land use category.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project site is in an urbanized area that is not in close proximity to significant fish or wildlife habitats. The resulting parcels use the land efficiently, will not hinder the use of the subject or adjacent parcels, and will maintain the character and parcel configuration pattern of the surrounding area.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Road Improvements

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

Adjustments

- K. There are special circumstances or conditions affecting the subdivision that allow for the adjustment of the depth to width ratio established in Chapter 3 of the Title 21 of the Real Property Division Ordinance because there are special circumstances and conditions affecting the property that would allow for the adjustment. The proposed division and parcel configuration is the only configuration that would not otherwise require the demolition of existing structures on the site. Alternative configurations would create an illegal and non-conforming use of the property because the workshop, an accessory use, would be without a primary on the newly created parcel. Granting the adjustment would not adversely affect the health or safety of persons in the neighborhood and it would not be materially detrimental to the public welfare or injurious to other property.

**REVISED CONDITIONS - EXHIBIT B
SUB2014-00027 (CO14-0099) / LEBLANC**

Approved Project

A Tentative Parcel Map (CO14-0099) to subdivide an existing approximately 2 acre parcel into two parcels of one (1) acre each, for the purpose of sale and/or development. The parcel map will include site disturbance associated with fronting road improvements, utility trenching and potential disturbance for drainage improvements.

Access and Improvements:

1. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. Osage Street shall be widened, as required, to complete the project frontage of an A-1 rural road section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. Pajaro Lane shall be widened, as required, to complete the project frontage of an A-1 rural road section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - c. All driveway approaches along Osage Street and Pajaro Lane shall be constructed or reconstructed in accordance with County Public Improvement Standard B-1a drawing.

Offers, Easements and Restrictions:

2. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For future road improvement 50-foot wide road right-of-way along Osage Street and Pajaro Lane to be described as 25-feet from the recorded centerline, with additional width as necessary to contain all elements of the roadway prism and the trail easement (10-feet required by the Parks Department).
 - b. A 20-foot radius road right-of-way along the property line returns at the intersection of Osage Street and Pajaro Lane.
 - c. A public utility easement along Osage Street and Pajaro Lane beyond the right-of-way (if required by the utility company) shall be shown on the final map.
 - d. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.

Improvement Plans:

3. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:

ATTACHMENT 2

- a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
 - d. Sedimentation and erosion control plan for subdivision related improvement locations.
 - e. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
 - f. Trail plan, to be approved jointly with the County Parks Department.
4. All existing overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [21.03.10(h)] and the poles removed.
 5. All new electric power, telephone and cable television services shall be completed to each new parcel and ready for service. Applicant responsibilities for electric service and distribution line extensions (facilities and equipment) are detailed in PG&E Electric Rule No.15 and Rule No.16, respectively.
 6. Prior to final map recordation, electric, telephone, and cable television services shall be completed, and shall meet the utilities' installation requirements, unless (in-lieu) financial arrangements with the utility for the installation of these systems have been made.
 7. New gas distribution mains shall be installed along the entire project frontage(s) and gas service laterals shall be stubbed to each new parcel unless otherwise directed by the gas purveyor.
 8. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
 9. The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Fire Protection:

10. The applicant shall obtain a fire safety clearance letter from Cal Fire establishing fire safety requirements prior to filing the final parcel or tract map.

Stormwater Pollution Prevention:

11. **At the time of application for construction permits**, the applicant shall demonstrate whether the project (including both public and private improvements) is subject to the LUO Section for Stormwater Management by submitting a Stormwater Control Plan (SWCP) to show what is required to satisfy post construction requirements for stormwater treatment. It shall be prepared

by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation control plan. The applicant shall submit complete drainage calculations for review and approval.

- a. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own stormwater treatment on site (and as if it were not a detached single family residence) regardless of its own impervious footprint. It will be required to treat its stormwater per the performance requirements determined by the total assumed impervious square footage of the tract.
 - b. Stormwater treatment facilities for public or common area improvements (including those for fronting and interior roadways) shall be constructed with those improvements
 - c. An impervious area ceiling must be determined for each lot and noting that as a building restriction on an Additional Map sheet is required.
12. **At the time of submittal of the improvement plans**, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for any proposed post construction structural treatment device for review and approval by the County.
13. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for any proposed post construction structural treatment device for review and approval by the County.
14. **Prior to approval of the improvement plans**, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.
15. **Prior to approval of the construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Fees:

16. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code the applicant shall be responsible for paying to the Department of Public Works the South County Road Improvement Fee Area 1 Road Improvement Fee for each future building permit in the amount prevailing at the time of payment.
17. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code Section 66477, **prior to filing of the final parcel or tract map** the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Easements:

18. A 10-foot wide trail easement shall be recorded along the frontage of Osage Street.

Additional Map Sheet:

19. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. Parcel 1 and Parcel 2 shall only be allowed to be developed with one primary residence. No secondary dwellings are allowed. In the event a water conservation fee is established, the applicant could pay the fee and allow for a secondary dwelling unit on each parcel.
 - b. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or project related roads to be accepted for County maintenance shall require an encroachment permit.
 - c. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the South County Road Improvement Fee Area 1 Road Improvement Fees for each future building permit in the amount prevailing at the time of payment.
 - d. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan Application.
 - e. For Stormwater management purposes, an impervious area ceiling must be determined for each lot and noted as a building restriction.
 - f. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.

Miscellaneous:

20. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
21. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
22. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible time extension request.

**STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS USING
COMMUNITY WATER AND SEPTIC TANKS**

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved Public water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to Environmental Health Services for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Construction of required improvements (water main extensions, laterals to each parcel) may be delayed, through preparation of plans, posting of bonds, and subject to the approval of County Public Works, Environmental Health Services, and the public water utility. However, bonding may **not** occur for the water well(s) construction, quantity and quality.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by Environmental Health Services.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and Environmental Health Services destruction standards. The applicant is required to obtain a permit from the County Health Department.
5. When a potentially operational or existing auxiliary water supply (in the form of an existing well(s)) is located on the parcels created by this subdivision and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Code).
6. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan and County Building and Construction Ordinance, Title 19, will be an acceptable method of sewage disposal, until public sewers may become available.
7. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek bank, drainage swale or area subject to inundation.
8. For parcels created with approved community (public) water but no community sewers, the approved on-site sewage disposal system shall be designed, where feasible, for ease in ultimate sewerage.
9. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve 5 or more parcels shall be separated by a minimum of two hundred (200) feet from a leach field, two hundred and fifty (250) feet from seepage pits or dry wells.
10. Individual systems on new land divisions shall be designed and constructed to either reserve sufficient site area for dual leach fields (100% replacement area), or construct the dual leach fields with a diverter valve at the time of initial septic system installation.

ATTACHMENT 2

11. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the County Planning and Environmental Health Services for review and approval **prior to the issuance** of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for on-site subsurface sewage disposal.
12. An encroachment permit shall be obtained from County Public Works for any work to be performed within the county right-of-way.
13. An encroachment permit shall be obtained from the California Department of Transportation for any work to be performed on the state highway.
14. Any existing reservoir or drainage swale on the property shall be delineated on the map.
15. Prior to submission of the map "check prints" to County Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
16. Required public utility easements shall be shown on the map.
17. Approved street names shall be shown on the map.
18. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
19. The developer shall submit a preliminary subdivision guarantee to County Public Works for review prior to the filing of the map.
20. Any private easements on the property shall be shown on the map with recording data.
21. All conditions of approval herein specified, unless otherwise noted, shall be completed prior to recordation of the map.
22. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
23. A map shall be filed in accordance with the Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
24. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



Promoting the wise use of land

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

MEETING DATE October 5, 2020	CONTACT/PHONE Stephanie Fuhs (805) 781-5721 sfuhs@co.slo.ca.us	APPLICANT Eve Gabrick/ Kirby Conklin	FILE NO. CO 10-0081 SUB2010-00024 EXT2020-00038
SUBJECT A request for a Fourth Time Extension by Eve Gabrick/Kirby Conklin for a Tentative Parcel Map (CO10-0081) to subdivide an existing approximately seven-acre parcel into two parcels of 3.52 and 3.45 each for the purpose of sale and/or development. The project includes off-site road improvements to the intersection of Quebrada Lane and Printz Road. The project will result in the disturbance of approximately one acre for access improvements with additional disturbance as lots are developed. The project involves a road exception request from the normal road width of 20 feet with 2-foot shoulders on both sides. The proposed road width is 16-feet with 2-foot shoulders for an 82-foot length from Printz Lane along Quebrada, widening to 20-feet thereafter. The project also proposes an exception to the parcel design standards for the 3:1 length to width ratio. The proposed project is within the Residential Suburban land use category and is located at 765 Quebrada Lane, approximately .5 mile north of the Printz/Tally Ho Road intersection, adjacent to the city limits of Arroyo Grande. The site is in the San Luis Bay Sub-Area in the South County Planning Area.			
RECOMMENDED ACTION Approve the fourth time extension request for Tentative Parcel Map CO 10-0081.			
ENVIRONMENTAL DETERMINATION A Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on February 3, 2011 for this project. The Mitigated Negative Declaration was adopted by the Subdivision Review Board on March 7, 2011.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 047-134-020	SUPERVISOR DISTRICT(S): 4
PLANNING AREA STANDARDS: 22.98.050 – San Luis Bay Rural Area Standards, 22.98.054 – Arroyo Grande Fringe Area Standards			
LAND USE ORDINANCE STANDARDS: Section 22.22.070 Subdivision Design Standards for the Residential Suburban Land Use Category			
EXISTING USES: Single family residence			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban / residences East: Residential Suburban / residences South: City of Arroyo Grande / undeveloped West: City of Arroyo Grande / scattered residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Tentative parcel map was originally referred to Public Works, Environmental Health, County Parks, County Fire/CalFire, City of Arroyo Grande, APCD			
TOPOGRAPHY: Moderately to steeply sloping		VEGETATION: Grasses, ornamentals, scattered oaks	
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: County Fire/Cal Fire		ACCEPTANCE DATE: N/A	
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Tentative Parcel Map CO 10-0081 was approved by the Subdivision Review Board on March 7, 2011 and (after successive time extensions) was set to expire on March 7, 2020. On March 7, 2020, the applicant requested the **fourth one-year time extension**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision-making body.

Tentative Parcel Map (CO 10-0081) is a request by Kirby Conklin for a Tentative Parcel Map (CO10-0081) to subdivide an existing approximately seven-acre parcel into two parcels of 3.52 and 3.45 each for the purpose of sale and/or development. The project includes off-site road improvements to the intersection of Quebrada Lane and Printz Road. The project will result in the disturbance of approximately one acre for access improvements with additional disturbance as lots are developed. The project involves a road exception request from the normal road width of 20 feet with 2-foot shoulders on both sides. The proposed road width is 16-feet with 2-foot shoulders for an 82-foot length from Printz Lane along Quebrada, widening to 20-feet thereafter. The project also proposes an exception to the parcel design standards for the 3:1 length to width ratio.

This tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

DISCUSSION

The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was March 7, 2013. With recent amendments, the Subdivision Map Act now allows up to six (6) one-year discretionary time extensions (in addition to legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **fourth discretionary one-year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one-year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) extends the tentative map for twelve (12) months if the tentative map was approved before and has not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011. Tentative Parcel Map CO 10-0081 does not qualify for this state mandated extension because the project was approved on March 7, 2011.

Assembly Bill 333 (California Government Code Section 66452.22) extends the tentative map for twenty-four (24) months if the tentative map was approved before and has not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012. Tentative Parcel Map CO 10-0081 does not qualify for this state mandated extension because the project was approved on March 7, 2011.

Assembly Bill 208 (California Government Code Section 66452.23) extends the tentative map for twenty-four (24) months if the tentative map was approved before and has not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014. Tentative Parcel Map CO 10-0081 was extended to March 7, 2015.

Assembly Bill 116 (California Government Code Section 66452.24(a)) extends the tentative map for twenty-four (24) months if the tentative map was approved on or after January 1, 2000, has not expired on July 11, 2013 and will expire prior to January 1, 2016. Tentative Parcel Map CO 10-0081 was extended to March 7, 2017.

With the Subdivision Review Board's approval of the third one-year time extension request on June 3, 2019 the new expiration date was March 7, 2020.

Staff Determination and Recommendation

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance and remains in compliance with the General Plan and County ordinances.

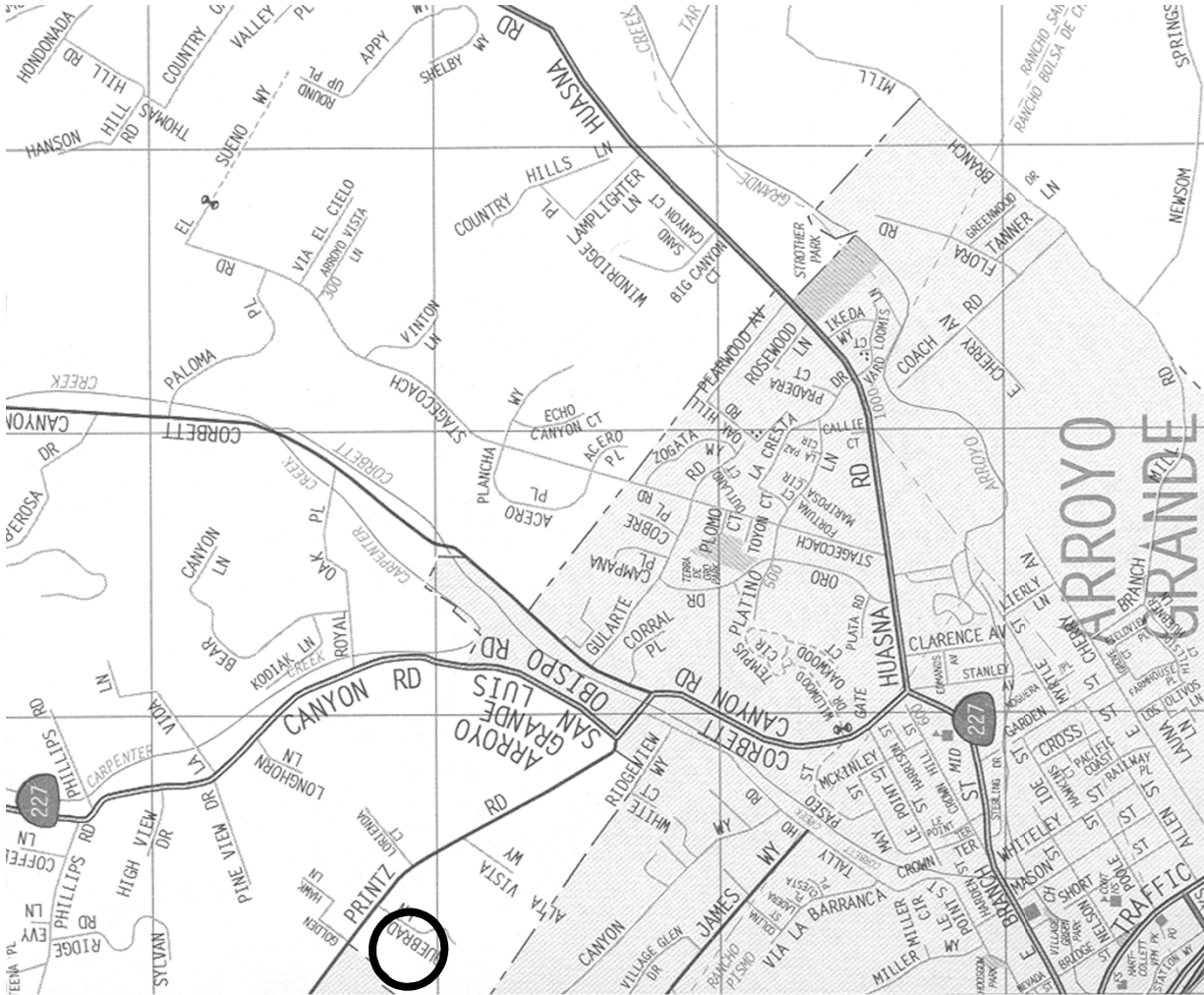
After review of the tentative map, staff recommends to the Subdivision Review Board that the **fourth one-year time extension** be granted to March 7, 2021 subject to the conditions of approval set by the Subdivision Review Board on March 7, 2011.

ATTACHMENTS

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, March 11, 2011

Site



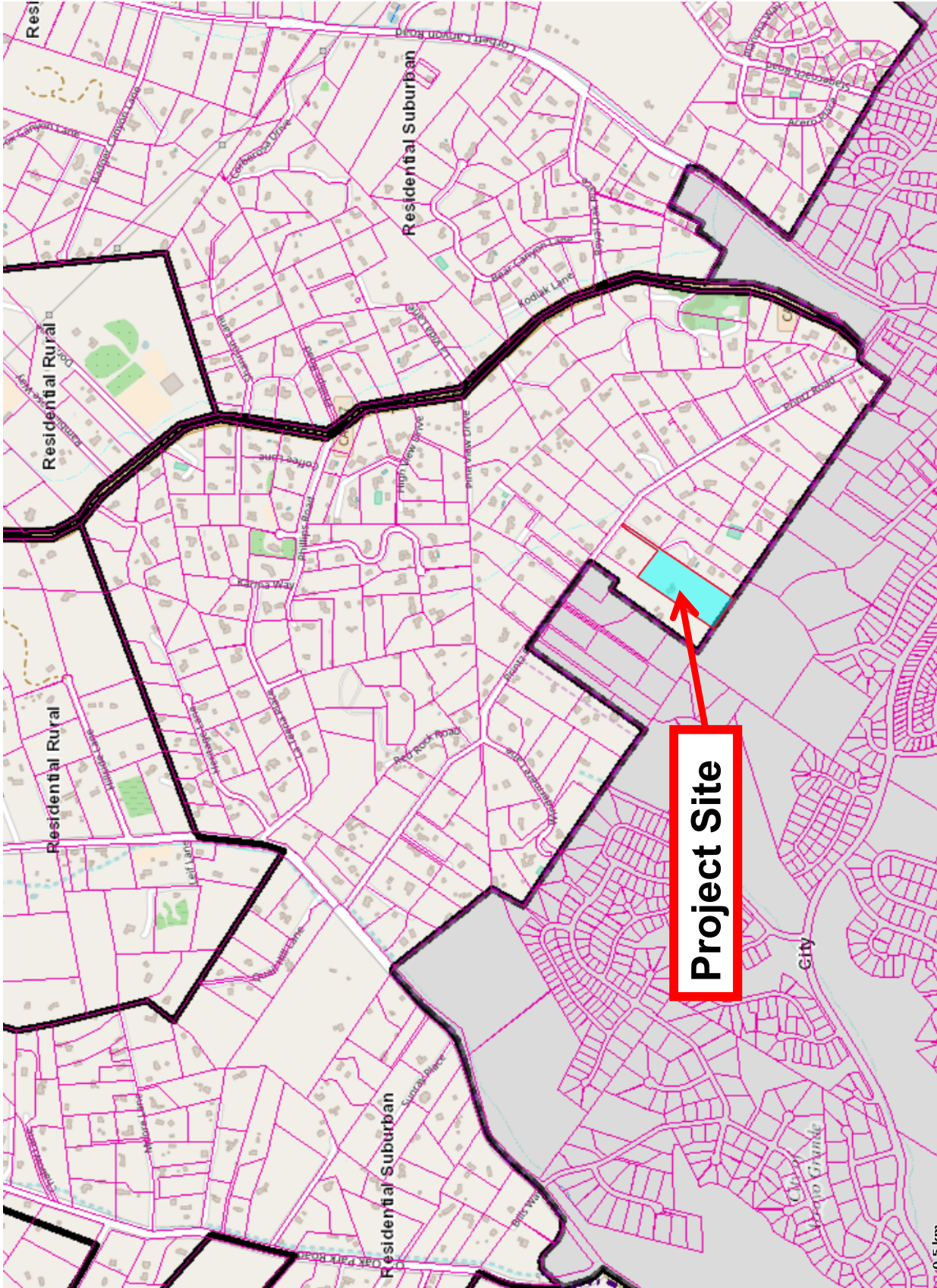
PROJECT

Tentative Parcel Map CO 10-0081
Conklin SUB2010-00024

EXHIBIT

Vicinity Map





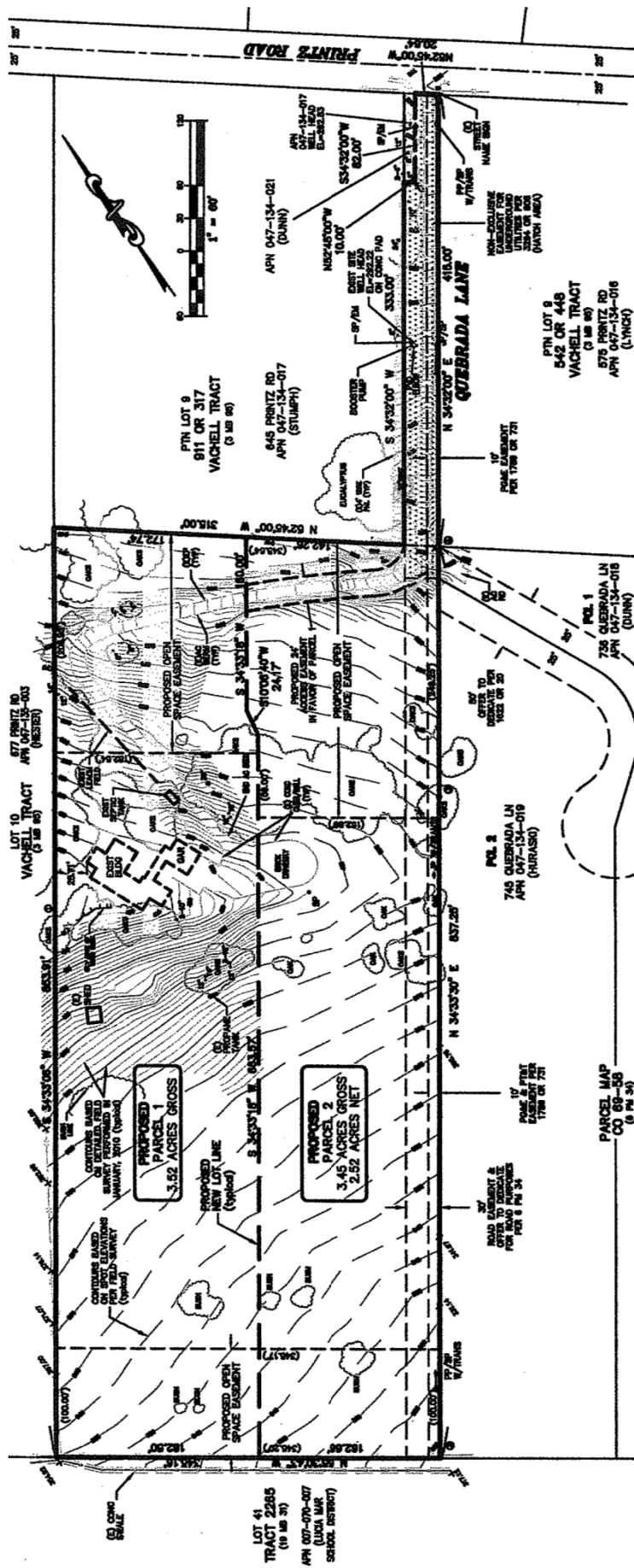
EXHIBIT

Land Use Category Map



PROJECT

Tentative Parcel Map CO 10-0081
Conklin SUB2010-00024





SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

March 11, 2011

Mark Vasquez
P.O. Box 193
Arroyo Grande, CA 93421

NOTICE OF FINAL COUNTY ACTION

HEARING DATE: March 7, 2011

SUBJECT: KIRBY CONKLIN AND EVE GABRICK
County File Number: SUB2010-00024 / CO 10-0081
Document Number: 2011-007_SRB

LOCATED WITHIN COASTAL ZONE: NO

The above-referenced application was approved on the above-referenced date by the San Luis Obispo County Subdivision Review Board. A copy of the findings and conditions are enclosed. The conditions of approval must be completed as set forth in this document.

An approved or conditionally approved tentative parcel map shall expire twenty-four months after its approval or conditional approval. The expiration of the approved or conditionally approved tentative parcel map or tentative tract map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within such tentative parcel map shall be filed without first processing a new tentative map. Upon application of the divider filed with the Department of Planning and Building prior to the expiration of the approved or conditionally approved tentative parcel map, the Subdivision Review Board may extend or conditionally extend the time at which such map expires for a period or periods not exceeding a total of five years pursuant to the provisions of Sections 66412.3, 66473 and 66474 of the Subdivision Map Act and Section 21.48.080 of the Real Property Division Ordinance. (Sec 21.06.010)

Pursuant to County Real Property Division Ordinance Section 21.04.020, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days from the date of this action, in writing, to the Department of Planning and Building. The appeal fee is \$850.00 and must accompany your appeal form.

If you have questions regarding your project, please contact your **Project Manager, Stephanie Fuhs**, at (805) 781-5600. If you have any questions regarding these procedures, please contact me at (805) 781-5718.

Sincerely,

NICOLE RETANA, SECRETARY
COUNTY SUBDIVISION REVIEW BOARD

cc: Public Works Department

FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on February 3, 2011 for this project. Mitigation measures are proposed to address Air Quality, Biological Resources, Geology and Soils, and Public Services and Utilities, and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Suburban land use category.
- C. The proposed map as adjusted is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single family residences, secondary dwellings and other uses allowed in the Residential Suburban land use category subject to the limitations on use contained in Section 22.106.030 of the Land Use Ordinance.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling and any other uses allowed in the Residential Suburban land use category subject to the limitations on use contained in Section 22.106.030 of the Land Use Ordinance.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project site has been disturbed by development and does not contain significant fish and/or wildlife habitat. Mitigation measures included in the conditions of approval will reduce environmental impacts to an insignificant level.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Road Improvements

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

Adjustment to the 3:1 width to length ratio design standard

- K. There are special circumstances or conditions affecting the subdivision because the existing parcel is long and narrow and served by a narrow easement from Printz Road. In addition, the topography of the parcel is very steep along the northern and southern property boundaries so a parcel configuration that would meet the width to length ratio would be difficult to develop because of steep slopes.
- L. That the granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision because the proposed open space easements will provide open areas of the site where no structural development will occur. In addition, the open space areas will provide areas to retain drainage so that no impacts will occur to adjoining properties.
- M. That the granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision because the adjustment does not involve increasing the density above what is already allowed by the Land Use Ordinance for subdivision in the Residential Suburban land use category.

Road Exception

- N. That there are special circumstances or conditions affecting the property being subdivided because Quebrada Lane is currently approximately 12-feet wide. The subdivision will allow the road to be widened to 20-feet for the majority of its length, with 82-feet being 16 feet. The exception will allow existing utility poles to remain and an existing well to remain undisturbed.
- O. That the granting of the adjustment will not be detrimental to the traffic circulation system, the public utility and storm drainage systems, or vehicular or pedestrian safety because Quebrada Lane will be widened from its current 12 feet to between 16 and 20 feet providing safer access to and from the parcels.
- P. That the granting of the adjustment will not result in any unreasonable costs in the maintenance of the improvement by the entity charged with such maintenance responsibility because Quebrada Lane is a private road and will be maintained by the owners using the easement.
- Q. That the granting of the adjustment will not be detrimental to, nor degrade, any portion of the improvement work involved in the subdivision because the road will be widened from its current configuration and will meet CalFire standards.

EXHIBIT B

CONDITIONS OF APPROVAL FOR CO 10-0081 (Conklin/Gabrick)

Approved Project

A Tentative Parcel Map (CO10-0081) to subdivide an existing approximately seven acre parcel into two parcels of 3.52 and 3.45 each for the purpose of sale and/or development. The project involves a road exception request from the normal road width of 20 feet with 2-foot shoulders on both sides. The proposed road width is 16-feet with 2-foot shoulders for a 82 foot length from Printz Lane along Quebrada, widening to 20-feet thereafter. The project also proposes an exception to the parcel design standards for the 3:1 length to width ratio.

Access and Improvements

1. Roads and/or streets to be constructed to the following standards, unless design adjustments are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. The intersection of Printz Road and Quebrada Lane shall be reconstructed in accordance with County Public Improvement Standard B-1c rural driveway.
 - b. The applicant shall replace the existing Quebrada Lane road name sign in accordance with Standard Drawing M-4 for private roads (green letters on white background).
2. Private access roads and driveways shall be constructed to the following standards and approved by the Planning and Building Department prior to map recordation:
 - a. Quebrada Lane and the driveways to Parcels 1 and 2 shall be constructed to CalFire standards within a private access easement of sufficient width to contain all elements of the roadway prism, including cut and fill slopes. The access road and driveways shall terminate in a CalFire standard cul-de-sac or other Cal Fire approved terminus.
3. Roads and/or streets to be maintained as follows:
 - a. Quebrada Lane shall be not accepted for County maintenance following completion and certification of the improvements. The developer shall establish in the Covenants, Conditions, and Restrictions for the subdivision a mechanism to ensure adequate private maintenance.
4. All necessary access and utility easements shall be reserved on the map for serving Parcels 1 and 2.

Improvement Plans

5. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
 - a. Printz Road and Quebrada Lane intersection improvements.
 - b. Drainage ditches, culverts, or other onsite drainage improvements to alleviate onsite development impacts to Printz Road (if drainage calculations require).

- c. Water plan (County Environmental Health).
 - d. Sewer plan (County Environmental Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
6. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
 7. The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

8. Submit a drainage report with support calculations including recommendations for onsite drainage improvements designed to alleviate adverse impacts to Printz Road resulting from existing and cumulative onsite development to the Department of Public Works for review and approval.
9. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 9.68 et. sec.

Wastewater Disposal

10. Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings for Parcel 2 performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.

Utilities

11. All new electric, telephone and/or cable lines shall be installed underground or overhead and service laterals stubbed to each lot.
12. Gas lines shall be installed and service laterals stubbed to each lot, if gas service is available.

Fire Protection

13. The applicant shall obtain a fire safety clearance letter from the CalFire establishing fire safety requirements prior to filing the final parcel or tract map per letter dated September 7, 2010 and e-mail from Laura Brown dated September 28, 2010 (both attached).

Parks and Recreation (Quimby) Fees

14. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Easements

15. An open space easement shall be recorded for the open space area on both parcels shown on the tentative parcel map. The open space easement shall be in a form approved by County Counsel and maintained as such in perpetuity.. All structural development, including wastewater systems, leach lines, wells and water tanks shall be located outside the open space easement areas, with the exception of the existing leach field on proposed Parcel 1.

Repairs, maintenance and replacement of the existing wastewater system shall limit site disturbance to the greatest extent feasible. Access improvements can be located within the open space easement areas, but shall limit the amount of site disturbance for access roads to the minimum amount necessary. The open space parcel is to be maintained as such in perpetuity.

Repair and maintenance of existing water lines as well as installation of new water lines can be located within the open space easement area, but shall limit the amount of site disturbance as much as possible and shall avoid removal of oak trees.

Drainage basins can also be located within the open space areas, however, they shall be designed to avoid oak tree removal and concentrating flows to the root system of the trees.

Mitigations

16. **Prior to issuance of subdivision improvement plans**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities (including grading). The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone protected with orange construction fencing prior to any grading. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

17. **Prior to issuance of subdivision improvement plans**, the applicant shall show all trees to be removed and/or impacted by proposed development and grading (impacted trees are defined as any disturbance/ compaction at 1-1/2 times the distance between the trunk and dripline edge) and limit impacts to the greatest extent feasible. Removed trees shall be replaced at a 4:1 ratio and impacted trees shall be replaced at a 2:1 ratio.
18. **Prior to any site disturbance**, all manzanita to remain shall be marked for protection from construction activities on the project site. These areas to be protected shall be shown on all applicable construction plans. The protection devices shall be installed prior to any vegetation removal and remain in place throughout the grading and construction phases.
19. **Prior to issuance of subdivision improvement plans**, the above measures shall be put on all applicable grading and construction plans. **Prior to any ground disturbance**, the applicant shall notify all contractors of these provisions.
20. **Prior to approval of subdivision improvement plans, if disturbance exceeds one acre**, the applicant shall prepare a Storm Water Pollution Prevention Plan, per Regional Water Quality Control Board requirements, and an Erosion and Sedimentation Control Plan shall be prepared by a certified sediment and erosion control specialist, registered civil engineer, registered architect or landscape architect, certified California nurseryperson, or licensed landscape contractor. The plan shall consist of graphic and narrative information of sufficient clarity to indicate the nature, extent, location and placement recommendations of the erosion and sedimentation control measures proposed. The location of all practices, methods and devices shall be shown on the grading plan, or on a separate plan attached to the grading plan. The plan shall contain, but need not be limited to, all of the following information:
 - a. Grading limits shall be graphically defined on the plan and staked out before site disturbance begins.
 - b. Estimates of sediment yields before, during, and after construction of the project for a three-year period or until revegetation is established.
 - c. Proposed methods and a description of the practices to be used to protect exposed erodible areas during and after construction, including temporary and permanent mulching, seeding, or other recognized surface stabilization measures.
 - d. Proposed temporary and final methods and a description of the practices to be used for cut or fill slopes to prevent erosive surface runoff, including earth or paved interceptors and diversions, energy absorbing structures, or devices and techniques to reduce the velocity of runoff water.
 - e. Proposed methods and description of the temporary and final practices to retain sediment on the site, including: sediment basins and traps, vegetative filter strips, or other recognized measures; a schedule for their maintenance and upkeep; provisions for responsibility of maintenance; and design criteria for the trapping efficiency and storage capacities of sediment basins for flows from a ten-year storm.
 - f. Proposed methods, application technique, seed and fertilizer rate, sequence, and description of final erosion control practices for revegetation of all surfaces disturbed by vegetation removal, grading, haul roads, or other improved surfaces authorized by approved plans. A schedule for maintenance and upkeep of revegetated areas shall be included.
 - g. The type, location, and extent of pre-existing and undisturbed vegetation on the site.

Descriptions of proposed methods to limit access routes and stabilize all access points, and to delineate clearing limits, easements, setbacks, sensitive areas, buffer areas and drainage courses.

Additional Map Sheet

21. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
 - a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - b. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated September 7, 2010 from CalFire are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
 - c. Notification to prospective buyers that streets/roads within the subdivision are to be privately maintained, indicating the proposed maintenance mechanism.

Air Quality

- d. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 1. Reduce the amount of disturbed area where possible,
 2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 3. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 4. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 5. All dirt stock-pile areas should be sprayed daily as needed.
- e. **Prior to issuance of construction permits**, plans shall show only APCD approved wood burning devices.

Biological Resources

- f. **Prior to issuance of construction permits**, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities (including grading). The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone protected with orange construction fencing prior to any grading. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. Care

shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

- g. **Prior to issuance of construction permits**, the applicant shall show all trees to be removed and/or impacted by proposed development and grading (impacted trees are defined as any disturbance/ compaction at 1-1/2 times the distance between the trunk and dripline edge) and limit impacts to the greatest extent feasible. Removed trees shall be replaced at a 4:1 ratio and impacted trees shall be replaced at a 2:1 ratio.
- h. **Prior to any site disturbance**, all manzanita to remain shall be marked for protection from construction activities on the project site. These areas to be protected shall be shown on all applicable construction plans. The protection devices shall be installed prior to any vegetation removal and remain in place throughout the grading and construction phases.
- i. **Prior to issuance of construction permits**, the above measures shall be put on all applicable grading and construction plans. Prior to any ground disturbance, the applicant shall notify all contractors of these provisions.
- j. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan per County Land Use Ordinance, Sec. 22.52.080 that will be incorporated into the development to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows.
- k. **Prior to issuance of construction permits**, the applicant shall submit a sedimentation and erosion control plan per County Land Use Ordinance (Inland), Sec. 22.52.09) and incorporate the measures into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures.
 - 1. Slope surface stabilization: Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be used to protect all exposed erodible areas. Earth interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.
 - 2. Erosion and sedimentation control devices: In order to prevent sedimentation discharges, erosion and sediment control devices shall be installed as necessary for all grading and filling. Control devices and measures may include, but are not limited to, energy absorbing structures or devices to reduce the velocity of runoff water, and revegetation with a rapid growing native seed mix.
 - 3. Final erosion control measures: During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity are to be revegetated to control erosion.
 - 4. Control of off-site effects: All grading activities shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.

Covenants, Conditions and Restrictions

- 22. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval and recordation along with the map. The CC&R's shall provide at a minimum the following provisions:

- a. Maintenance of all streets/roads within the subdivision in perpetuity.
- b. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

Miscellaneous

23. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
24. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
25. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

**STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING INDIVIDUAL WELLS AND SEPTIC TANKS**

1. Each parcel shall have its own private well(s) for a domestic water supply approved by Environmental Health Services, except as set forth in 2d.
2. Operable water facilities shall exist prior to the filing of the final subdivision map. Evidence of adequate and potable water, shall be submitted to Environmental Health Services including the following:
 - A. Well Completion Report- The well log generated by the driller at the time the well is constructed.
 - B. Water Quality- A complete chemical analysis, to include general mineral, general physical and inorganics, shall be submitted for evaluation for each of the wells developed. Site evaluations may trigger additional testing requirements by Environmental Health Services. (Within last 5 years)
 - C. Production- On individual private wells, a minimum of a four hour pump test with draw down and recovery data by a **licensed** and **bonded** well driller or pump testing company, shall be submitted for review and approval for each well proposed for the subdivision. (Within last 5 years)
 - D. Shared Well System- The applicant shall contact Environmental Health Services for assistance in properly designing a shared water well system. A shared water well system review fee (said fee is separate from any fees paid through the County Planning and Building Department) shall be provided to this office prior to finaling the map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan and County Building and Construction Ordinance, Title 19, will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve 5 or more parcels shall be separated by a minimum of two hundred (200) feet from septic systems and dry wells.
6. Individual systems on new land divisions shall be designed and constructed to either reserve sufficient site area for dual leach fields (100% replacement area), or construct the dual leach fields with a diverter valve at the time of initial septic system installation.
7. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the County Planning Department for review and approval **prior to the issuance of a building permit**. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

8. An encroachment permit shall be obtained from County Public Works for any work to be done within the county right-of-way.
9. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
10. Any existing reservoir or drainage swale on the property shall be delineated on the map.
11. Prior to submission of the map "checkprints" to County Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
12. Required public utility easements shall be shown on the map.
13. Approved street names shall be shown on the map.
14. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of the land proposed.
15. The developer shall submit a preliminary subdivision guarantee to County Public Works for review prior to recordation of the map.
16. Any private easements on the property shall be shown on the map with recording data.
17. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to recordation of the map.
18. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
19. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
20. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



Promoting the wise use of land

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

MEETING DATE October 5, 2020	CONTACT/PHONE Stephanie Fuhs (805)781-5721 sfuhs@co.slo.ca.us	APPLICANT Steven and Vivian Hanover	FILE NO. CO 19-0001 SUB2019-00051
SUBJECT Hearing to consider a request by Stephen and Vivian Hanover for a Tentative Parcel Map to allow for the subdivision of a 5.88-acre parcel into two parcels of 2.3 and 3.58 acres each for the purpose of sale and/ or development. The proposal also includes abandonment of the Calle Crotalo and Broza Lane right-of-ways, as shown on recorded Tract 681. The project will result in the disturbance of up to two acres of the 5.88-acre site as a result of required road improvements, infrastructure and future residential development. The proposed project is located within the Residential Suburban (4.54 acres) and Agriculture (1.34 acres) land use categories. Proposed Parcel 1 would contain 2.3 acres of Residential Suburban and Proposed Parcel 2 would contain 2.24 acres of land with Residential Suburban zoning and 1.34 acres of land with Agriculture zoning. The project is located at 3812 Sequoia Drive, approximately 1,100 feet north-east of Orcutt Road and approximately 0.2 miles south-east of the city of San Luis Obispo in the San Luis Obispo planning area, San Luis Obispo North sub area.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Tentative Parcel Map CO 19-0001 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION Also to be considered at the hearing will be adoption of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on August 20, 2020 for this project. Mitigation measures are proposed to address Air Quality, Biological Resources, Transportation and Circulation and are included as conditions of approval.			
LAND USE CATEGORY Agriculture and Residential Suburban	COMBINING DESIGNATION Airport Review Area	ASSESSOR PARCEL NUMBER 076-532-035	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: 22.96.060F.1 – San Luis Obispo Urban Area Standards for the Residential Suburban land use category			
LAND USE ORDINANCE STANDARDS: Superseded by Planning Area standards			
EXISTING USES: Single family residence			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North: Residential Suburban/Residences East: Agriculture/Residences</i> <i>South: Residential Suburban/Residences West: Residential Suburban/Residences</i>			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, County Parks, CalFire, Airport Manager, Air Pollution Control District, City of San Luis Obispo, HEAL SLO			
TOPOGRAPHY: Gently to moderately sloping		VEGETATION: Grasses, shrubs, ornamentals	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

DISCUSSION/BACKGROUND

The applicant, Steven and Vivian Hanover, are requesting a Tentative Parcel Map (CO 19-0051) to subdivide an existing 5.88-acre parcel into two parcels of 2.3 and 3.58 acres each for the purpose of sale and/or development. The proposal also includes abandonment of the Calle Crotalo and Broza Lane right-of-ways, as shown on recorded Tract 681. The proposed project is located within the Residential Suburban (4.54 acres) and Agriculture (1.34 acres) land use categories. Proposed Parcel 1 would contain 2.3 acres of Residential Suburban and Proposed Parcel 2 would contain 2.24 acres of land with Residential Suburban zoning and 1.34 acres of land with Agriculture zoning.

The parcel was Lot 11 of Tract 681 that recorded in 1982 and is also Lot 1 of Lot Line Adjustment COAL 99-267 that recorded in 2000. The Lot Line Adjustment resulted in the parcel having two zoning categories, Agriculture and Residential Suburban.

ORDINANCE COMPLIANCE

Minimum Parcel Size

Normally the minimum parcel size for a property designated Residential Suburban is between one and three acres, however, planning area standards for properties within Tract 681 as described in the San Luis Obispo Area Plan require a minimum parcel size of two acres (see discussion below). It was previously determined that for the purposes of this tentative parcel map the portion of the property within the "Agriculture" land use category was also subject to this planning area standard since the majority of the parent parcel is within the Residential Suburban land use category and the portion within "Agriculture" land use category does not function as agricultural property.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Inclusionary Housing Fees

Title 29, the Affordable Housing Fund, establishes an in-lieu fee to create a fund that would help to meet, in part, the housing needs of the County's very low, low, moderate income and workforce households. Section 22.12.080 of Title 22, the Land Use Ordinance, describes the options the applicant may choose to satisfy the requirement. In this case, because the subdivision results in only one additional primary residence, this section of the ordinance does not apply.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 Real Property Division Ordinance, as follows:

Real Property Division Ordinance Compliance - 21.03.010 Factors		Complies/Needs Adjustment/NA	Comments
a.	Ordinance Compliance	Complies	
b.	Statutory Compliance	Complies	
c.	Parcel and Site Design		
1	Encourages efficient use of land	Complies	

Real Property Division Ordinance Compliance - 21.03.010 Factors		Complies/Needs Adjustment/NA	Comments
2	Side parcel lines perpendicular to ROW	Complies	
3	Lot dimensions: Min. 60' at front setback, 80' minimum depth; 3:1 max length to width ratio	Complies	
4	Double-frontage lots discouraged	Complies	
5	Optimal utility achieved: (i) efficient use of land; (ii) minimal cuts, fills, site disturbance; (iii) Will not hinder future use or use of adjacent lots; (iv) Maintain character and pattern of area	Complies	
6	Access by easement or direct street frontage, no flag lots	Complies	
7	Landscaping: Lots < 1 acre with community water: street trees are provided	N/A	
8	Building sites avoid visual impacts	Complies	
d.	Access and Circulation Design		
1	Street providing access is minimum 40-ft ROW for part-width, 50-ft ROW for full street; improvements per 21.05.020	Complies	
2	Provides for extension of existing street circulation	N/A	
3	Lot design allows for future widening /opening of streets to ultimate ROW	N/A	
4	Street centerlines continue existing centerlines or per standard specifications	N/A	
5	Street intersections at right angles	N/A	
6	Tracts provide street stubs to future subdivisions; turnarounds for stubs >600'	N/A	
7	Private easement to serve max of 5 lots - existing and potential future lots per GP	N/A	
8	Lots created with future subdivision potential are designed to provide for future primary/secondary streets.	N/A	

PLANNING AREA STANDARDS

Section 22.96.060F.1 – San Luis Obispo Urban Area Standards for Residential Suburban, Tract 681 – The standards in this section include a minimum parcel size of two acres and a restriction that limits subdivision of existing parcels into only two parcels total. The standards also exclude construction of secondary dwellings. As proposed, the project meets these standards.

COMBINING DESIGNATIONS

Airport Review Area - The project is within the Airport review area for the San Luis Obispo Regional Airport. The project was referred to the Airport Manager, with no comments received; however, on other projects within Tract 681 an aviation easement was requested as part of the conditions of approval for the project. The County's airport planner found the project consistent with the airport land use plan and recommended a condition be added to the project for an aviation easement to be recorded with the final map. The condition has been added to the project.

ROAD ABANDONMENT

The project proposes to abandon the Calle Crotalo and Broza Lane offers of dedication located on both parcels. When Tract 681 was recorded in 1982, this subdivision was considered a likely location for annexation by the City of San Luis Obispo, so Tract 681 recorded rights-of-way for future road alignments to provide for roadways to serve a higher density development similar to the residential single family neighborhoods to the north currently within the City limits. In the thirty years since Tract 681 was recorded, the City of San Luis Obispo has recently annexed property to the west along Orcutt Road and considers the properties within Tract 681 to be part of the City's greenbelt. Since future annexation appears unlikely in the future, the abandonment of the offers of dedication has been part of the majority of the subdivisions processed within Tract 681.

AGENCY REVIEW

Public Works – Recommends conditions for access and improvements, easements, improvement plans, drainage and flood control, stormwater management, fees and additional map sheet (David Grim, November 18, 2019)

Environmental Health – Preliminary evidence of water and wastewater (Leslie Terry, June 6, 2019; well may be located on subject parcel, need information on wells on the parcel and adjacent parcels prior to map recordation along with the proposed septic system locations for both parcels (Kealoha Ghiglia, July 9, 2019)

County Parks – Payment of Quimby fees required (Elizabeth Kavanaugh, June 25, 2019)

County Fire/Cal Fire – Fire safety plan attached (Dell Wells, December 5, 2019)

Airport Manager – No comments received

Air Pollution Control District – Project is consistent with the Clean Air Plan, recommends conditions for naturally occurring asbestos, developmental burning restrictions, dust control measures and compliance with wood burning device regulations (Jackie Mansoor, June 27, 2019)

City of San Luis Obispo – Recommends payment of the Citywide Transportation Impact Fee (Brian Leveille, July 5, 2019)

STAFF COMMENTS

The applicant is proposing a subdivision of a parcel with two land use categories, Agriculture and Residential Suburban. Parcel 1 will contain approximately 2.24 acres zoned Residential Suburban and 1.34 acres zoned Agriculture. Parcel 2 will be entirely zoned Residential Suburban. Because the parcels would comply with the two acre minimum parcel size required by planning area standard without the portion of the property zoned Agriculture, staff determined that the proposed subdivision is in compliance with all applicable Land Use Ordinance and General Plan standards.

LEGAL LOT STATUS

The one lot was legally created by a recorded Tract Map (Lot 11, Tract 681) and certificates of compliance for Lot Line Adjustment COAL 99-267 (Lot 1) verifying and finaling the lot line adjustment.

Staff report prepared by Stephanie Fuhs
and reviewed by Terry Wahler, Senior Planner

EXHIBIT A – FINDINGS
HANOVER TENTATIVE PARCEL MAP (SUB2019-00051/CO 19-0001)

Environmental Determination

- A. Also to be considered at the hearing will be adoption of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on August 20, 2020 for this project. Mitigation measures are proposed to address Air Quality, Biological Resources, Transportation and Circulation and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Suburban land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of a primary residence and residential accessory uses allowed within the Residential Suburban land use category with the exception of secondary dwellings that are not allowed per Land Use Ordinance standards.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary residence and residential accessory uses allowed within the Residential Suburban land use category with the exception of secondary dwellings that are not allowed per Land Use Ordinance standards.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is of limited size and scope and is not located in close proximity to significant fish or wildlife habitats.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Road Improvements

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

Abandonments of Offers to Dedicate Road Rights-of-Way

- K. The elimination of the Tract 681 offers to dedicate road rights-of-way for Calle Crotalo and Broza Lane on Parcels 1 and 2 as shown on the tentative map would not eliminate, delay or unreasonably interfere with the opportunity to develop the proposed lots within this proposed parcel map and would not preclude development of the properties in the immediate neighborhood because these properties are at ultimate development for their respective land use categories based on current planning area standards and since Tract 681 was recorded the City of San Luis Obispo has designated this area of the County as the City's surrounding greenbelt area. These future road connections are no longer necessary due to current and foreseeable development patterns within this area of the County.
- L. The elimination of the Tract 681 offer to dedicate road right-of-way would not eliminate, delay interest in, or conflict with other elements of the County General Plan because relinquishing the ability to expand the road system in this area is no longer in the Public interest and is consistent with the goals, objectives and policies of the other elements of the General Plan.
- M. The abandonment of the Tract 681 offer to dedicate road right-of-way will not conflict with the applicable sections of the General Plan because the residential properties will continue to have safe access to their properties and the County and City's maintained road system.

**EXHIBIT B – CONDITIONS OF APPROVAL
HANOVER TENTATIVE PARCEL MAP (SUB2019-00051/CO 19-0001)**

Approve Project

1. A Tentative Parcel Map to allow for the subdivision of a 5.88-acre parcel into two parcels of 2.3 and 3.58 acres each for the purpose of sale and/ or development. The proposal also includes abandonment of the Calle Crotalo and Broza Lane right-of-ways, as shown on recorded Tract 681.
2. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from the date a time extension request may be acted on.
3. This approval is valid for 24 months from the date of approval by the Review Authority. Up to six (6) one-year time extensions can be granted. These one-year extensions must be requested, one year at a time, **prior to the expiration date of the map**. Per the State Subdivision Map Act, Government Code section 66463.5, if a map expires, no further action can be taken by the County unless a new map is applied for and approved. It is the applicant's responsibility to track expiration dates.

Access and Improvements

4. Road and/or streets to be constructed to the following standards (unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards, or certified by the Engineer of Work that the existing improvements meet County Standards):
 - a. Sequoia Drive shall be widened to complete the project frontage of an A-1 rural road section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. All driveway approaches along Sequoia Drive shall be constructed in accordance with County Public Improvement Standard B-1a and A-5a.
5. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative.
6. The applicant shall provide the county with an Engineer of Work Agreement retaining a registered civil engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works. The civil engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.

Offers, Easements and Restrictions

7. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.

8. The applicant shall show the following restrictions by certificate on the map or record by separate document:
 - a. If drainage basins are required, then the basin areas shall be indicated as a building restriction on the map.
9. Easements shown to be quitclaimed on the tentative map shall be done so prior to filing the final map.
10. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be reserved as a drainage easement in favor of the owners and assigns of Lots 1 and 2.

Improvement Plans

11. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Utility Plan.
 1. Water plan to be approved jointly with County Environmental Health. Water facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
 2. Sewer plan to be approved jointly with County Environmental Health. Sewer facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
 3. New electric power, telephone and cable television service conduits and appurtenances shall be constructed and service conduits stubbed to each new parcel.
 4. New gas distribution mains and appurtenances shall be installed along the entire project frontage(s) and gas service laterals stubbed to each new parcel.
 5. All existing overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [21.03.10(h)] and the poles removed.
 - d. Sedimentation and erosion control plan for subdivision related improvements.
 - e. Stormwater control plan for subdivision related improvements (if subject to MS-4 requirements).

- f. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
 - g. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
 - h. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - i. Trail plan, if required, to be approved jointly with the Parks Division.
 - j. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - 1. Submit a copy of all such permits to the Department of Public Works; or
 - 2. Document that the regulatory agencies have determined that said permit is not required.
12. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
13. The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Subdivision Grading

14. Grading not associated with required public improvements shall be subject to the Subdivision Grading Process per Section 2.1.3 of the latest Public Improvement Standards. The Public Works Department will act as a deputy to the Building Official for all on-site grading not associated with Public Improvements.

Drainage and Flood Control

15. Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval. If calculations so indicate, drainage must be retained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.
16. All project related drainage shall be designed and constructed in accordance with the recommendations of the San Luis Creek Watershed Drainage Design Manual.

Stormwater Pollution Prevention Plan (SWPPP)

17. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Stormwater Control Plan (SWCP)

18. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form.
- a. The applicant must submit a SWCP for all regulated projects subject to Performance Requirement #2 and above. The SWCP must be prepared by an appropriately licensed professional and submitted to the County for review and approval. Applicants must utilize the County's latest SWCP template.
 - b. If post-construction stormwater control measures (SCMs) are proposed, the applicant must submit a draft Stormwater Operations and Maintenance Plan for review by the County. The plan must consist of the following Planning & Building Department forms;
 - 1. Structural Control Measure Description (Exhibit B)
 - 2. Stormwater System Contact Information
 - 3. Stormwater System Plans and Manuals
 - c. If applicable, following approval by the County, the applicant shall record with the County Clerk-Recorder the Stormwater Operation and Maintenance Plan and an agreement or provisions in the CC&Rs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.
19. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.

Water and Wastewater

20. **Prior to the filing of the final parcel or tract map**, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcels 1 and 2).

21. **Prior to final map recordation**, the applicant shall confirm whether or not the well that is tied to the project's Assessor's Parcel Number is on the subject parcel.
22. **Prior to final map recordation**, the applicant shall submit a site utility map to the Department of Environmental Health that shows all wells on the subject parcel and adjacent parcels.

Fire Protection

23. The applicant shall obtain a fire safety clearance letter from the County Fire-CalFire establishing fire safety requirements **prior to filing the final parcel or tract map**.

Fees

24. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.
25. Subsequent residential development is subject to the inclusionary housing fee pursuant to Section 22.12.080.C.3.a and D.2. As an alternative, **prior to filing the final parcel map or tract map**, the applicant may enter into an inclusionary housing agreement to ensure the construction of inclusionary housing unit(s), in conformance with Section 22.12.080.
26. **Prior to the issuance of construction permits**, because the project is located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement approved by the Board on October 18, 2005. The applicant shall submit evidence to the County that all City impact fees applicable to this project have been paid, or that none are required.

Easements

27. **Prior to recordation of the final parcel or tract map**, the property owner shall grant an avigation easement to the County of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel. Based on the encumbrances identified in the preliminary title report submitted to the County, additional documents, including, without limitation, a Consent of Lienholder or Consent of Lessee, may be required in connection with the avigation easement. The avigation easement document shall be reviewed and approved by County Counsel prior to filing of the final parcel or tract map.

Mitigations

Air Quality

28. Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to significantly reduce fugitive dust emissions, to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans:

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions:
<http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>
- c. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. To prevent 'track out', install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. 'Track-Out' is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. The 'track-out prevention device' can be any device or combination of devices that is effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective.

- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
 - l. All PM10 mitigation measures required should be shown on grading and building plans; and,
 - m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.
29. **At the time of application for construction permits, the following shall be added to the construction plans:** Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.
30. **Prior to any site disturbance**, the applicant shall have a geologic evaluation completed to determine if naturally occurring asbestos (NOA) is present within the area of disturbance. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is present, the applicant shall comply with all requirements of the Air Toxics Control Measure.
31. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans, and installed as approved by the County.

Biological Resources

32. **Avoidance.** Any future development on the proposed parcels shall be designed to avoid direct impacts to Cambria Morning Glory. The avoidance areas shall include the mapped location of the plants plus a 10-foot protective buffer. The location of the plants and the 10-foot protective buffer shall be indicated as a Sensitive Resource Area (SRA) and shall be included on the additional map sheet for the parcel map and all subdivision improvement plans and construction permit plans.
33. If avoidance is not feasible, the applicant shall submit a restoration plan, prepared by a qualified biologist, to be reviewed and approved by the County Planning and Building Department, **prior to issuance of construction permits**. This plan shall include, at a minimum, the following:

- a. Identification of the type and number of plants to be removed.
 - b. Identification of locations, amounts, size and types of plants to be replanted, as well as any other necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful reestablishment.
 - c. Provide for a native seed collection effort prior to any ground disturbing activities. Collection of native seed shall be propagated by a County approved biologist. Plant shall include, but not be limited to California Native Plant Society (CNPS) listed plant species that may be affected.
 - d. Quantification of the impact based on construction drawings and quantification of mitigation areas such that the replacement criteria are met (2:1 acreage ratio or 3:1 for individual plants).
 - e. A program schedule and success criteria for a minimum five-year monitoring and reporting program that is structured to ensure the success of the restoration plan.
 - f. Identification of access and methods of materials transport to the restoration area, including personnel, vehicles, tools, plants, irrigation equipment, water and all other similar supplies. Access shall not result in new or additional impacts to habitat and special status species.
 - g. The restoration plan shall incorporate an invasive species control program.
34. **Protection. At the time of application for construction permits,** the applicant shall show the location of the SRA and 10-foot buffer area on the construction plans. If work will be occurring within 50 feet of the SRA, construction plans shall also show the location and type of protective fencing to be used to delineate the SRA. **Prior to any site disturbance,** protective fencing shall be installed to delineate the SRA during construction activities and shall be maintained in good condition throughout construction to ensure remaining work activities do not pose a risk for impacting the plants. Signage stating "Sensitive Resource Area: Keep Out" shall be placed along the fencing. Entry into the protected area shall be prohibited during construction.
35. **At the time of application for construction permits,** the applicant shall show all development located a minimum of 50-feet from the creek.
36. **Prior to any site disturbance,** the applicant shall provide construction fencing at the edge of the riparian vegetation on the project site. This area will be marked by orange construction fencing which shall be installed **prior to any site disturbance** and remain in place throughout the grading and construction phases.
37. The applicant shall avoid removal of vegetation or any other ground disturbance between February 1st and September 1st to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site for breeding and/or nesting birds **no more than two weeks prior to construction or site disturbance activities.** Results of the surveys shall be submitted to the County Department of Planning and Building for concurrence with the report. If nesting and/or

breeding birds are found, appropriate mitigation measures, including recommended buffers, shall be developed and submitted for review and approval by the County, in consultation with the California Department of Fish and Wildlife (CDFW) and the applicant shall adhere to these measures during all construction activities on the site.

Additional Map Sheet

38. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. Notification that the owner(s) of all lots are responsible for on-going maintenance of drainage and flood control improvements including basins, pipes, manholes, inlets, headwalls, sediment control devices, fencing, landscaping, etc. in a viable condition on a continuing basis into perpetuity, and indicating the proposed maintenance mechanism. The improved areas shall be indicated as a building restriction.
 - b. Notification that the owner(s) of all lots are responsible for on-going maintenance of stormwater quality improvements including basins, water quality control devices, landscaping, etc. in a viable condition on a continuing basis into perpetuity and indicating the proposed maintenance mechanism.
 - c. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or project related roads to be accepted for County maintenance shall require an encroachment permit.
 - d. The applicant shall be responsible for paying to the City of San Luis Obispo the transportation impact fee. The fee shall be imposed **at the time of application for building permits** and shall be assessed for each building permit to be issued.
 - e. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan Application.
 - f. Notification to prospective buyers that stormwater treatment facilities shall be maintained and inspected in perpetuity as stipulated in the approved Stormwater Operations and Maintenance Plan, as recorded with the County Clerk-Recorder's Office.
 - g. The property owner shall be responsible for the operation and maintenance of public road frontage landscaping and driveway sight distance in a viable condition and on a continuing basis into perpetuity.
 - h. That secondary dwellings shall not be allowed on all lots within the land division.
 - i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.

Air Quality

j. Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to significantly reduce fugitive dust emissions, to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans:

1. Reduce the amount of the disturbed area where possible;
2. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions:
<http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>
3. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
4. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
5. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
6. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
7. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum

vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

10. To prevent 'track out', install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. 'Track-Out' is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. The 'track-out prevention device' can be any device or combination of devices that is effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective.
 11. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
 12. All PM10 mitigation measures required should be shown on grading and building plans; and,
 13. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.
- k. **At the time of application for construction permits, the following shall be added to the construction plans:** Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.
- l. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans, and installed as approved by the County.

Biological Resources

- m. **Avoidance.** Any future development on the proposed parcels shall be designed to avoid direct impacts to Cambria Morning Glory. The avoidance areas shall

include the mapped location of the plants plus a 10-foot protective buffer. The location of the plants and the 10-foot protective buffer shall be indicated as a Sensitive Resource Area (SRA) and shall be included on the additional map sheet for the parcel map and all subdivision improvement plans and construction permit plans.

- n. If avoidance is not feasible, the applicant shall submit a restoration plan, prepared by a qualified biologist, to be reviewed and approved by the County Planning and Building Department, **prior to issuance of construction permits**. This plan shall include, at a minimum, the following:
 - 1. Identification of the type and number of plants to be removed.
 - 2. Identification of locations, amounts, size and types of plants to be replanted, as well as any other necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful reestablishment.
 - 3. Provide for a native seed collection effort prior to any ground disturbing activities. Collection of native seed shall be propagated by a County approved biologist. Plant shall include, but not be limited to California Native Plant Society (CNPS) listed plant species that may be affected.
 - 4. Quantification of the impact based on construction drawings and quantification of mitigation areas such that the replacement criteria are met (2:1 acreage ratio or 3:1 for individual plants).
 - 5. A program schedule and success criteria for a minimum five-year monitoring and reporting program that is structured to ensure the success of the restoration plan.
 - 6. Identification of access and methods of materials transport to the restoration area, including personnel, vehicles, tools, plants, irrigation equipment, water and all other similar supplies. Access shall not result in new or additional impacts to habitat and special status species.
 - 7. The restoration plan shall incorporate an invasive species control program.
- o. **Protection. At the time of application for construction permits**, the applicant shall show the location of the SRA and 10-foot buffer area on the construction plans. If work will be occurring within 50 feet of the SRA, construction plans shall also show the location and type of protective fencing to be used to delineate the SRA. **Prior to any site disturbance**, protective fencing shall be installed to delineate the SRA during construction activities and shall be maintained in good condition throughout construction to ensure remaining work activities do not pose a risk for impacting the plants. Signage stating "Sensitive Resource Area: Keep Out" shall be placed along the fencing. Entry into the protected area shall be prohibited during construction.
- p. **At the time of application for construction permits**, the applicant shall show all development located a minimum of 50-feet from the creek.

- q. **Prior to any site disturbance**, the applicant shall provide construction fencing at the edge of the riparian vegetation on the project site. This area will be marked by orange construction fencing which shall be installed **prior to any site disturbance** and remain in place throughout the grading and construction phases.
- r. The applicant shall avoid removal of vegetation or any other ground disturbance between February 1st and September 1st to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site for breeding and/or nesting birds **no more than two weeks prior to construction or site disturbance activities**. Results of the surveys shall be submitted to the County Department of Planning and Building for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures, including recommended buffers, shall be developed and submitted for review and approval by the County, in consultation with the California Department of Fish and Wildlife (CDFW) and the applicant shall adhere to these measures during all construction activities on the site.

Miscellaneous

- 39. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
- 40. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 41. All timeframes on approved tentative maps for filing of parcel or final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS USING
COMMUNITY WATER AND INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved Public water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to Environmental Health Services for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Construction of required improvements (water main extensions, laterals to each parcel) may be delayed, through preparation of plans, posting of bonds, and subject to the approval of County Public Works, Environmental Health Services, and the public water utility. However, bonding may **not** occur for the water well(s) construction, quantity and quality.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by Environmental Health Services.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and Environmental Health Services destruction standards. The applicant is required to obtain a permit from the County Health Department.
5. When a potentially operational or existing auxiliary water supply (in the form of an existing well(s)) is located on the parcels created by this subdivision and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Code).
6. Onsite Wastewater Treatment Systems (OWTS) that conform to Tier 1 requirements in the State Water Resources Control Board Water Quality Control Policy for Siting, Design, Operation, and Maintenance of OWTS (OWTS Policy) may be permitted under the authority of County Planning & Building until a Local Agency Management Plan is adopted.
7. Onsite Wastewater Treatment Systems that do not conform to Tier 1 requirements shall be permitted for installation and operation under the authority of the Central Coast Regional Water Quality Control Board. Applicants shall submit evidence of approved State permits to Planning & Building at the time of application for building permits.
8. Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. The applicant shall perform percolation tests and borings per County Planning and Building standards. Applicants shall provide all information specified in Section 7 of the OWTS Policy for Tier 1 OWTS.

9. OWTS must conform to all setbacks specified in Section 7 of the OWTS Policy for permitting by County Planning & Building. Any existing or proposed drainages, swales, storm water infiltration areas and detention or retention basins shall be shown on plans.
10. For parcels created with approved community (public) water but no community sewers, the approved OWTS shall be designed, where feasible, for ease in ultimate sewer connection.
11. Onsite Wastewater Treatment Systems shall be separated from any individual domestic well and/or agricultural well, as specified by Section 7 of the OWTS Policy unless a greater separation is specified by County Health or the community water supplier.
12. Onsite Wastewater Treatment Systems on new land divisions shall be designed to either reserve sufficient site area for dual leach fields (100% replacement area), or construct the dual leach fields with a diverter valve at the time of initial OWTS installation.
13. Onsite Wastewater Treatment Systems installed on slopes in excess of 25% do not meet Tier 1 requirements for County permitting and shall be reviewed and permitted by the Central Coast Regional Water Quality Control Board.
14. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
15. All conditions of approval herein specified, unless otherwise noted, shall be completed prior to recordation of the map.



COUNTY OF SAN LUIS OBISPO
Department of Public Works
 John Diodati, Interim Director

RECOMMENDED CONDITIONS

Date: November 18, 2019

To: Lacey Kenyon, Project Planner

From: Edward M. Reading, County Surveyor
 David E. Grim, Development Services

Subject: SUB2019-00051 CO19-0001, Hanover Parcel Map, Sequoia Drive, San Luis Obispo, APN 076-532-035

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Reviewed by DEG, completed

Public Works Comments:

- A. At the time the project referral was received by Public Works on November 18, 2019 the application acceptance date had not been established. The attached recommended conditions of approval are subject to change based on Ordinances and Policies in affect at the date of application acceptance.
- B. Recommend the following finding [per 21.050.045 (a-c)] be incorporated into Findings to ensure public improvements are constructed prior to recordation (or bonded for): *"In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within the time frame approved in the Subdivision Agreement and prior to issuance of a permit or other grant of approval for development on a parcel."*
- C. Project site may be located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement (MOA) approved by the Board on October 18, 2005. City transportation impact fees are applicable to this project.
- D. This may be a regulated project if it meets the applicability criteria for Stormwater Management. The applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form. If not subject to these requirements (the applicant is not proposing any improvements with this subdivision), the need for performance requirements and any storm water management facilities should be evaluated when this property is developed.
<https://www.slocounty.ca.gov/Departments/Public-Works/Services/Stormwater-Requirements-for-New-Construction.aspx>
- E. If the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit, which may require preparation of a project Stormwater Control Plan even though it is located outside a Stormwater Management Area.

Recommended Public Works Conditions of Approval

Access and Improvements

1. Road and/or streets to be constructed to the following standards (unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards, or certified by the Engineer of Work that the existing improvements meet County Standards):
 - a. Sequoia Drive shall be widened to complete the project frontage of an A-1 rural road section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. All driveway approaches along Sequoia Drive shall be constructed in accordance with County Public Improvement Standard B-1a and A-5a.
2. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative.
3. The applicant shall provide the county with an Engineer of Work Agreement retaining a registered civil engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works. The civil engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.

Offers, Easements and Restrictions

4. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
5. The applicant shall show the following restrictions by certificate on the map or record by separate document:
 - a. If drainage basins are required, then the basin areas shall be indicated as a building restriction on the map.
6. Easements shown to be quitclaimed on the tentative map shall be done so prior to filing the final map.
7. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be reserved as a drainage easement in favor of the owners and assigns of Lots 1 and 2.

Improvement Plans

8. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a registered civil engineer and submitted to the Department of Public Works and the County Health Department for approval. The plans are to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Utility plan.
 1. Water plan to be approved jointly with County Environmental Health. Water facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.

2. Sewer plan to be approved jointly with County Environmental Health. Sewer facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
 3. New electric power, telephone and cable television service conduits and appurtenances shall be constructed and service conduits stubbed to each new parcel.
 4. New gas distribution mains and appurtenances shall be installed along the entire project frontage(s) and gas service laterals stubbed to each new parcel.
 5. All existing overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [21.03.10(h)] and the poles removed.
- d. Sedimentation and erosion control plan for subdivision related improvements.
 - e. Stormwater control plan for subdivision related improvements (if subject to MS-4 requirements).
 - f. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
 - g. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
 - h. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - i. Trail plan, if required, to be approved jointly with County Parks.
 - j. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 1. Submit a copy of all such permits to the Department of Public Works; or
 2. Document that the regulatory agencies have determined that said permit is not required.

Subdivision Grading

9. Grading not associated with required public improvements shall be subject to the Subdivision Grading Process per Section 2.1.3 of the latest Public Improvement Standards. The Public Works Department will act as a deputy to the Building Official for all on-site grading not associated with Public Improvements.

Drainage & Flood Control

10. Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval. If calculations so indicate, drainage must be retained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.
11. All project related drainage shall be designed and constructed in accordance with the recommendations of the San Luis Creek Watershed Drainage Design Manual.

Stormwater Pollution Prevention Plan (SWPPP)

12. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required

elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Stormwater Control Plan (SWCP)

13. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form.
 - a. The applicant must submit a SWCP for all regulated projects subject to Performance Requirement #2 and above. The SWCP must be prepared by an appropriately licensed professional and submitted to the County for review and approval. Applicants must utilize the County's latest SWCP template.
 - b. If post-construction stormwater control measures (SCMs) are proposed, the applicant must submit a draft Stormwater Operations and Maintenance Plan for review by the County. The plan must consist of the following Planning & Building Department forms;
 1. Structural Control Measure Description (Exhibit B)
 2. Stormwater System Contact Information
 3. Stormwater System Plans and Manuals
 - c. If applicable, following approval by the County, the applicant shall record with the County Clerk-Recorder the Stormwater Operation and Maintenance Plan and an agreement or provisions in the CCRs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.
14. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.

Fees

15. **Prior to the issuance of construction permits:** The project is located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement approved by the Board on October 18, 2005. The applicant shall submit evidence to the County that all City impact fees applicable to this project have been paid, or that none are required.

Additional Map Sheet

16. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
 - a. Notification that the owner(s) of all lots are responsible for on-going maintenance of drainage and flood control improvements including basins, pipes, manholes, inlets, headwalls, sediment control devices, fencing, landscaping, etc. in a viable condition on a continuing basis into perpetuity, and indicating the proposed maintenance mechanism. The improved areas shall be indicated as a building restriction.
 - b. Notification that the owner(s) of all lots are responsible for on-going maintenance of stormwater quality improvements including basins, water quality control devices, landscaping, etc. in a viable condition on a continuing basis into perpetuity and indicating the proposed maintenance mechanism.

- c. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or project related roads to be accepted for County maintenance shall require an encroachment permit.
- d. The applicant shall be responsible for paying to the City of San Luis Obispo the transportation impact fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued.
- e. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan Application.
- f. Notification to prospective buyers that stormwater treatment facilities shall be maintained and inspected in perpetuity as stipulated in the approved Stormwater Operations and Maintenance Plan, as recorded with the County Clerk-Recorder's Office.
- g. The property owner shall be responsible for the operation and maintenance of public road frontage landscaping and driveway sight distance in a viable condition and on a continuing basis into perpetuity.

Miscellaneous

- 17. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
- 18. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 19. All timeframes on approved tentative maps for filing of parcel or final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act.

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Status	Item	Comments
✓	Preliminary Title Report. Preliminary title report concerning the property which is not more than six months old showing current property owners.	
✓	(1) <u>Record Data</u> . The boundary lines of the original parcel, with dimensions shown in feet, based on survey data or information of record, and area of the property shown in square feet or acres to the nearest tenth.	
✓	(2) <u>Property Description</u> . A description of the property as well as the assessor's parcel number(s) for the property.	
✓	(3) <u>Legend and Owner Information</u> . A north arrow and scale, the name and address of the record owner(s), and the name and address of the subdivider.	
✓	(4) <u>Vicinity Map</u> . A vicinity map on which shall be shown the general area including adjacent property, subdivisions and roads	
✓	(5) <u>Existing Structures</u> . All existing structures, wells, septic tanks, driveways and other improvements located on the original parcel shall be accurately located, identified and drawn to scale. The distance between structures, the distance from existing structures to the boundary lines of the new parcel on which the structures are to be located, and the height of each structure shall be shown. Such distances shall be established by a registered civil engineer's or licensed land surveyor's survey when deemed necessary by the planning department.	
✓	(6) <u>Contour Lines</u> . Contour lines of the property shall be shown at intervals set forth: >40 Ac, 40ft; 20-40 AC, 20 ft; 10-20 AC, 10 ft; <10 AC w/ 0-12% slope, 2 ft; >12% slope, 5 ft	
✓	(7) <u>Drainage</u> . The approximate location of all watercourses, drainage channels and existing drainage structures.	
✓	(8) <u>Landforms</u> . The approximate location of other topographic or manmade features, such as bluff tops and ponds.	
X	(9) <u>Lakes and Ocean</u> . Approximate high-water lines in lakes or reservoirs, and the mean high tide line of the ocean.	
X	(10) <u>Flood Hazard</u> . The location of all areas subject to inundation or stormwater overflow.	
✓	(11) <u>Proposed Parcel Lines</u> . The proposed division lines with dimensions in feet and the gross and net area of each parcel created by such division in square feet or acres to the nearest tenth. Also, each parcel created shall be designated on the tentative map by number.	
✓	(12) <u>Designated Building Sites</u> . Any designated building sites proposed by the applicant to minimize grading, tree removal, and other potential adverse impacts, or any areas proposed for exclusion from construction activities, shall be shown on the tentative map for proposed parcels greater than ten thousand square feet. Also, any details on proposed building setback lines and widths of side yards shall be shown on the tentative map.	
✓	(13) <u>Streets</u> . The locations, names, county road numbers and widths of all adjoining and contiguous highways, streets and ways.	
✓	(14) <u>Easements</u> . The locations, purpose and width of all existing and proposed easements, streets (with proposed names) and appurtenant utilities.	
✓	(15) <u>Coastal Zone</u> . For tentative maps for properties located within the coastal zone between the sea and the first public road paralleling the sea, show the location of the public access ways nearest to the subject site	

EMR 11/19/2019



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 6/21/2019
TO: 3rd District Legislative Assistant, APCD, Airport (SLO), CAL FIRE / County Fire, Env Health, HEAL SLO, Parks, Public Works, AT&T, Charter (Spectrum) Communications, PG&E, SoCal Gas, City of San Luis Obispo
FROM: Lacey Minnick / Kenyon (805-788-2414 or lkenyon@co.slo.ca.us)

PROJECT NUMBER & NAME: SUB2019-00051 CO 19-0001 HANOVER

PROJECT DESCRIPTION: Proposed Parcel Map to subdivide one parcel into two parcels of at least 2 acres net; located at 3812 Sequoia Drive in San Luis Obispo.

APN(s): 076-532-035

Return this letter with your comments attached no later than 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART I: IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II: ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
☐ NO (Please go on to PART III.)

PART III: INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Please see attached.
7.9.19 Ke Ghiglia x 5551
Date Name Phone



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
PUBLIC HEALTH DEPARTMENT

Michael Hill *Health Agency Director*

Penny Borenstein, MD, MPH *Health Officer/Public Health Director*

July 9, 2019

To: Lacey Kenyon, Department of Planning and Building

From: Environmental Health
Kealoha Ghiglia

A handwritten signature in blue ink, appearing to read "Kgh", is placed over the name "Kealoha Ghiglia".

RE: CO 19-0001 Hanover Parcel Map

EH records indicate a well on the subject parcel. The well is tied to the APN number of the subject parcel and it is possible that after the well was drilled, the parcel was split. The well may no longer be on the subject parcel and/or the well may have been destroyed. Prior to final map recordation, confirm whether or not the well is on the subject parcel.

In addition, prior to final map recordation, please provide a site utility map showing all wells on the subject parcel and adjacent parcels. There are several community wells in the area, and potentially private wells.

Prior to map recordation, please provide proposed septic system locations for both new parcels. Individual sewage disposal systems must be located on the parcel to which they belong. Call out distances from septic and leach fields to any wells, creeks, domestic water lines, or other facilities that require setbacks.

Environmental Health Services

2156 Sierra Way, Suite B | San Luis Obispo, CA 93401 | (P) 805-781-5544 | (F) 805-781-4211

www.slopublichealth.org/ehs



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
PUBLIC HEALTH DEPARTMENT

Michael Hill *Health Agency Director*

Penny Borenstein, MD, MPH *Health Officer/Public Health Director*

June 6, 2019

Tim Romano, PE, PLS
ROMANO Design
3505 Sequoia Drive
San Luis Obispo, CA 93401

Re: Tentative Parcel Map CO 19-0001 - HANOVER
APN: 076-532-035

Water Supply

This office is in receipt of a preliminary evidence of water in the form of a Will Serve extension letter from the Afuera de Chorro Mutual Water Co. dated May 28, 2019 to provide water to the above referenced project.

Be advised that a final "will serve" letter from the water company shall be obtained and submitted to this office for review and approval stating there are operable water facilities immediately available for connection to each of the parcels created prior to recordation of the final map. Water main extensions and related facilities may be bonded for, subject to the approval of County Public Works and Environmental Health Services. This bond must be reviewed and approved by County Public Works **prior** to recordation of the map.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. This office is responsible for certifying that field investigations show that ground slopes and soil conditions will allow for satisfactory disposal by on-site septic systems for feasibility purposes. Soil testing, to include three percolation tests and one deep soil boring, shall be performed prior to recordation of the final map. Soils data from Tract 681 may be acceptable. Be advised that all septic system leach fields (and expansion areas) shall be installed at a minimum of 100 feet away from any domestic water wells or watercourse, 200 feet away from reservoir, shall be located in areas free from bedrock, and shall not be placed on natural slopes that exceed 30%. Should a wastewater disposal system be installed in an area with greater than 20% slope it must be designed and the installation certified by a registered civil engineer.

Tentative Parcel Map CO 19-0001 is approved for Health Agency subdivision map processing.

A handwritten signature in blue ink, appearing to read "Leslie A. Terry", with a long horizontal line extending to the right.

LESLIE A TERRY, R.E.H.S.
Supervising Environmental Health Specialist

c: Afuera de Chorro Mutual Water Co.

Environmental Health Services

2156 Sierra Way, Suite B | San Luis Obispo, CA 93401 | (P) 805-781-5544 | (F) 805-781-4211
www.slopublichealth.org/ehs



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, DIRECTOR

THIS IS A NEW PROJECT REFERRAL

REVISED ON 10/30/19

DATE: 6/21/2019

TO: 3rd District Legislative Assistant, APCD, Airport (SLO), CAL FIRE / County Fire, Env Health, HEAL SLO, Parks, Public Works, AT&T, Charter (Spectrum) Communications, PG&E, SoCal Gas, City of San Luis Obispo

FROM: Lacey Minnick / Kenyon (805-788-2414 or lkenyon@co.slo.ca.us)

PROJECT NUMBER & NAME: SUB2019-00051 CO 19-0001 HANOVER

PROJECT DESCRIPTION: Proposed Parcel Map to subdivide one parcel into two parcels of at least 2 acres net; located at 3812 Sequoia Drive in San Luis Obispo.

APN(s): 076-532-035

Return this letter with your comments attached no later than 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART I: IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☒ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II: ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☒ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
☐ NO (Please go on to PART III.)

PART III: INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

SEE FIRE SAFETY PLAN

12-5-19
 Date

DELL WELLS
 Name

805-893-3427
 Phone



635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805.543.4244 • Fax: 805.543.4248
www.calfireslo.org

Scott M. Jalbert, Unit Chief

December 5, 2019

County of San Luis Obispo
Department of Planning and Building
San Luis Obispo, CA 93408

Lacey Minnick,

Subject: SUB2019-00051 CO 19-0001 Hanover- Property located at 3812 Sequoia Drive,
San Luis Obispo.

I have reviewed the parcel map plans for the proposed parcel spit. This project is located approximately 6 minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project is in a State Responsibility Area. This project is required to comply with all fire safety rules and regulations including the California Fire Code, Public Resources Code and any standards referenced therein.

The following conditions shall apply to this project:

General Requirements

All fire hydrants/ Residential Fire Connections and required access roads shall be installed prior to structural construction.

Road Grades

The grade for all roads, streets, private lands and driveways shall not exceed 16 percent. Design criteria shall be in accordance with the County of San Luis Obispo Department of Public Works Public Improvement Standards. Roads 12% - 16% shall be a non-skid asphalt or concrete surface as specified in the County standards, specifications and drawings. All roads shall:

- Be able to support Fire Apparatus
- Provide a vertical clearance of 13 feet 6 inches
- Maintain a 2-foot fuel reduction zone on both sides

Access Road Standards

All road design criteria will meet the County of San Luis Obispo Department of Public Works Public Improvement Standards. Standard construction drawing exhibits can be located on line at: <http://www.slocounty.ca.gov/PW/DevServ/PublicImprovementStandards.htm>

Residential Access Roads – Serving more than one legal parcel

- The road must be named and properly signed per San Luis Obispo County Planning and Building.
- The access road must be a minimum of 24 feet wide, allowing for two-way traffic. It shall be constructed to County of San Luis Obispo standards, two (2) 10-foot driving lanes and two (2) 2-foot shoulders.
- Parking is only allowed where an additional 8 feet of width is added to each side of the road to accommodate parking. "No Parking – Fire Lane" signs may be required.

Driveway Standards

Driveway specifications shall be provided and maintained when serving no more than one legal parcel or lot with no more than three (3) dwelling units and any number of accessory buildings.

- Turnarounds must be provided if driveway exceeds 300 feet and shall be within 50 feet of the building.
- Driveway width will be no less than 12 feet wide for driveways up to 200 feet long and 14 feet wide for over 400 feet long.

A turnaround must be provided if the dead-end road exceeds 150 feet.

Gate Requirements

All gates for residential and commercial use shall meet Section 503.5 of the 2016 California Fire Code requirements for access. KNOX switches or padlocks are the only approved method of emergency access. The use of a red "Fire Dept" access box is not allowed for either residential or commercial use due to security concerns and difficulty in maintaining current data.

The following requirements must be met:

1. All gates shall be set back from the road a minimum of 30 feet from the edge of the roadway. The gate shall open to allow a vehicle to stop without obstructing traffic on the public road. Local ordinance, certain conditions or San Luis Obispo County Public Works may require a greater setback.
2. All gates shall be 2 feet wider on each side of the road / driveway.
3. All electric gates shall automatically open with no special knowledge upon exiting.
4. All electric gates shall have a KNOX switch for emergency Fire Department access.
5. All electric gates shall have an approved means of emergency operation at all times, either using solar power, battery back-up or fail to the open position upon a power outage.
6. Security gates and their emergency operation shall be maintained operational at all times.

Community Water System

This project water supply for fire protection will be provided by a community water system.

Subdivisions will require community water systems that comply with CFC Appendix C. For additional information, relative to this requirement, contact the San Luis Obispo County Planning and Building Department. A Fire Protection Engineer will be consulted to verify water based fire protection needs.

One and two family dwellings on a community water system shall meet the California Fire Code Appendix B fire-flow requirements and Appendix C, "Fire hydrant locations and distribution". A signed will-serve letter from the water purveyor must be submitted with your fire safety plan application, and received prior to final inspection of the project.

Community Water System Verification Form will be submitted to CAL FIRE for review.

Building construction type and square footage will determine fire flow requirements. The minimum allowable fire flow will be 1000 g.p.m. for 1 hours if structure is less than 3,600 square feet (non-sprinkler) . For determining fire flow requirements on any structure over 3,600 square feet refer to Appendix B, table B105.1 of the California Fire Code.

Residential

For purposes of this section, residential refers to one and two family dwellings.

Addressing

New and existing buildings shall have approved address numbers, building numbers or building identification placed in a position that is clearly legible and easily visible from the street or road fronting the property. Additional locations of identification may be required by the Fire Code official to facilitate emergency response. Street names and address numbers are assigned by the County of San Luis Obispo Planning and Building department.

1. Address numbers shall be Arabic numerals or alphabet letters, contrast with their background and be a minimum width of 0.5 inch and height per occupancy type as follows:
 - a. Residential 6 inches
2. Address numbers at the driveway entrance shall be clearly visible from both directions. It is highly recommended that the numbers be reflectorized or lighted.
3. Address numbers shall be visible day and night. Trim trees, bushes and shrubs if foliage obstructs visibility.
4. When a building is not visible from the roadway or when required by the Fire Chief, additional numbers or addresses shall be installed on an elevated post or monument adjacent to roads or driveways leading to buildings.

Landscaping

CAL FIRE requires that landscaping selections do not readily transmit fire. Landscaping and vegetation shall be in accordance with San Luis Obispo County Planning and Building "New Landscaping Requirements"

http://www.slocounty.ca.gov/planning/New_Water_Requirements/New_Landscaping_Requirements.htm

Our website www.calfireslo.org has several links with recommended planning tools for landscape and fuel management plans.

Future Building

Future building will require a Fire Safety Plan from CAL FIRE/ San Luis Obispo County Fire of any residential structures and will meet California Fire Code. A Fire Protection Engineer may be required to submit a technical report on both commercial and residential structures.

Final Inspection

This project shall require a final inspection by CAL FIRE/ San Luis Obispo County Fire to ensure conditions have been met. When the project is complete, contact fire prevention at 593-3490 and request a final inspection.

Sincerely,



Dell Wells

Fire Captain/ Inspector



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, DIRECTOR

RECEIVED

25 JUN 2019

PLANNING & BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 6/21/2019

TO: 3rd District Legislative Assistant, APCD, Airport (SLO), CAL FIRE / County Fire, Env Health, HEAL SLO, Parks, Public Works, AT&T, Charter (Spectrum) Communications, PG&E, SoCal Gas, City of San Luis Obispo

FROM: Lacey Minnick / Kenyon (805-788-2414 or lkenyon@co.slo.ca.us)

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PART III: INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

6/25/19 Pay Dumpy fees 781-4189
Date Name Phone



Air Pollution Control District San Luis Obispo County

Via Email

June 27, 2019

Lacey Kenyon
San Luis Obispo County Department of Planning & Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408
lkenyon@co.slo.ca.us

SUBJECT: APCD Comments Regarding the Hanover Subdivision - One Parcel Split
(SUB2019-00051, CO 19-0001)

Dear Ms. Kenyon:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project located at 3812 Sequoia Drive in San Luis Obispo. The proposed project includes a Parcel Map to subdivide one parcel into two parcels one 3.87 acres and the other 2.01 acres. The project is within 1,000 feet of sensitive receptors (residential dwellings) and within 1 mile of known serpentine deposits. Approximately 1.34-acres of the existing parcel is outside of the San Luis Obispo Urban Reserve Line (URL) and is zoned Agricultural. The remainder of the existing parcel is inside the URL and is zoned Residential Suburban. The proposed parcel split would create an additional parcel inside the URL. **Since the project would not create an additional parcel outside the URL, the project is consistent with the APCD's Clean Air Plan.** If residential development occurs on the parcel, the project will most likely be below the APCD's thresholds of significance for both construction and operational impacts identified in table 2-1 and table 3-2 in the [CEQA Air Quality Handbook](#) (April 2012).

The following are APCD comments that are pertinent to this project.

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the items contained in this letter that are highlighted by bold and underlined text.**

APCD Comments for Hanover Subdivision - One Parcel Split
June 27, 2019
Page 2 of 4

Naturally Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by the California Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain NOA. The APCD has identified areas throughout the county where NOA may be present ([NOA Map](#)). The following requirements apply because the project site is in a candidate area for NOA. **The applicant shall ensure that a geologic evaluation is conducted to determine if the area disturbed is or is not exempt from the CARB Asbestos Air Toxics Control Measure (Asbestos ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) regulation.**

- a. If the site is not exempt from the requirements of the regulation, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD; or
- b. If the site is exempt, an [exemption request](#) must be filed with the APCD.

More information on NOA can be found at slocleanair.org/rules-regulations/asbestos/noa.

Developmental Burning

APCD Rule 501 prohibits developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at 805-781-5912.

Dust Control Measures

This project is within 1,000 feet of residential dwellings. Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. **Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402).**

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. **When drought conditions exist and water use is a concern, the contractor or builder should consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.** Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: [Products Available for Controlling Dust](#);
- c. All dirt stockpiled areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;

APCD Comments for Hanover Subdivision - One Parcel Split
June 27, 2019
Page 3 of 4

- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114;
- j. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM₁₀ mitigation measures required should be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition (Contact Tim Fuhs at 805-781-5912).

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 hp or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.

The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the [*CEQA Air Quality Handbook*](#) (April 2012).

APCD Comments for Hanover Subdivision - One Parcel Split
June 27, 2019
Page 4 of 4

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generators; and
- Internal combustion engines.

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at 805-781-5912 for specific information regarding permitting requirements.

Residential Wood Combustion

Under APCD Rule 504, **only APCD approved wood burning devices can be installed in new dwelling units.** These devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

If you have any questions about approved wood burning devices, please contact the APCD Engineering and Compliance Division at 805-781-5912.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at (805) 781-5912.

Sincerely,



JACKIE MANSOOR
Air Quality Specialist

JNM/jjh

cc: Tim Romano, Agent
Tim Fuhs, APCD
Dora Drexler, APCD

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Community Development

919 Palm Street, San Luis Obispo, CA 93401-3249
805.781.7170
slocity.org

July 5, 2019

Lacey Kenyon
Department of Planning and Building
County of San Luis Obispo
976 Osos St., Rm. 300
San Luis Obispo, CA 93408

SUBJECT: Proposed two-lot parcel map to divide one parcel into two parcels of at least 2.0 acres net at 3812 Sequoia Drive (SUB 2019-00051)

The 2016 City/County Memorandum of Understanding states that the County and City should work cooperatively to plan for future uses and public services and facilities to improve and maintain area circulation, connections, and to preserve agricultural land and open space. Thank you for the opportunity to provide input on the above referenced entitlement application.

Community Development Department Comments

Since the proposed subdivision is consistent with the existing land use designation, does not require a General Plan Amendment or Rezone, and is consistent with surrounding lot sizes and development, Community Development Department staff has no comments at this time.

Public Works Department Comments

Conditions of Approval

Should the County consider the application to divide the parcel, the City requests the following conditions be added to the project:

1. In order to mitigate offsite traffic impacts at various locations, the subdivider/developer shall pay pertinent City transportation Impact fees. These fees shall be paid at the time of building permit issuance in accordance with AB1600 but could be paid prior to map recordation consistent with County policies. These fees should include:

- a. Citywide Transportation Impact Fee

The City requests to continue to be notified/consulted on further project review such as any significant project modifications, environmental review, and upcoming hearings.

City of San Luis Obispo referral response
Hanover Parcel Map (SUB 2019-00051)

Please feel free to contact me if you have any questions or would like to arrange a meeting. I can be contacted by phone at 805-781-7166, or by e-mail:

bleveille@slocity.org

Thank you for considering City Community Development Department comments on the proposed project.

Sincerely,



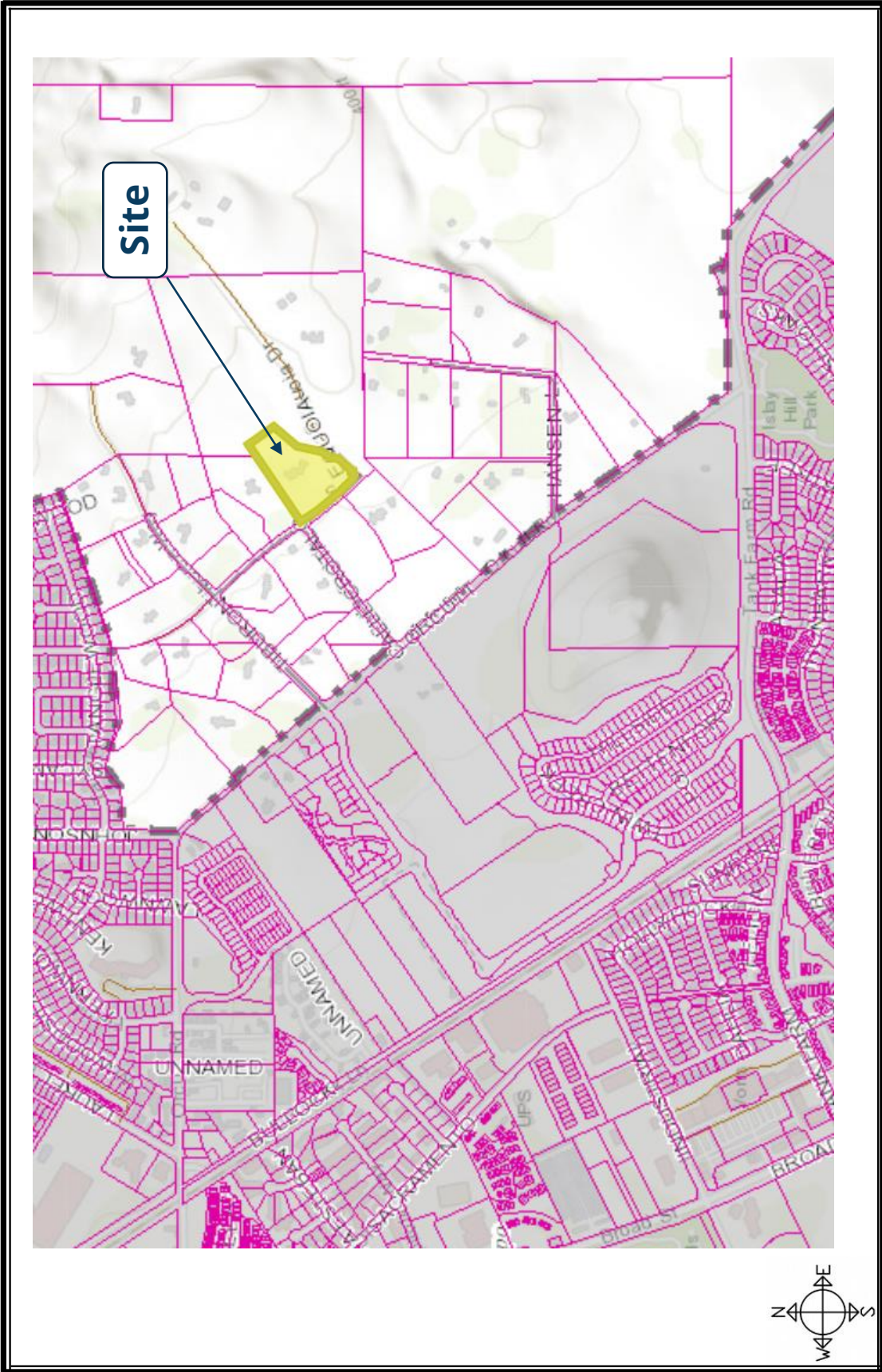
Brian Leveille, AICP

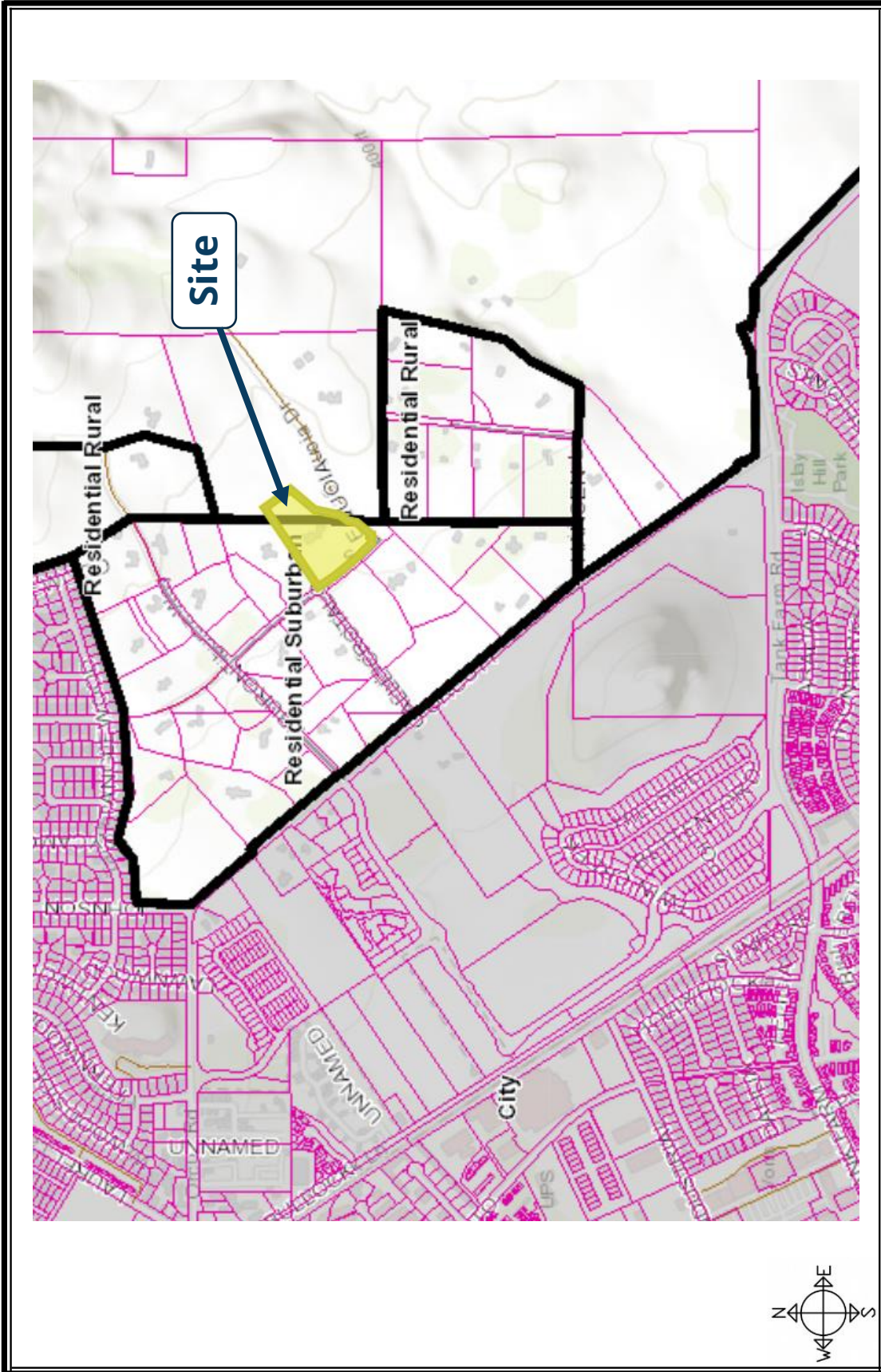
Senior Planner

Long Range Planning

City of San Luis Obispo, Community Development Department

CC: San Luis Obispo City Council
Michael Codron, Community Development Director
Tyler Corey, Principal Planner
Jake Hudson, Interim Deputy Director
Luke Schwartz, Interim Transportation Manager

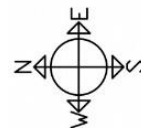
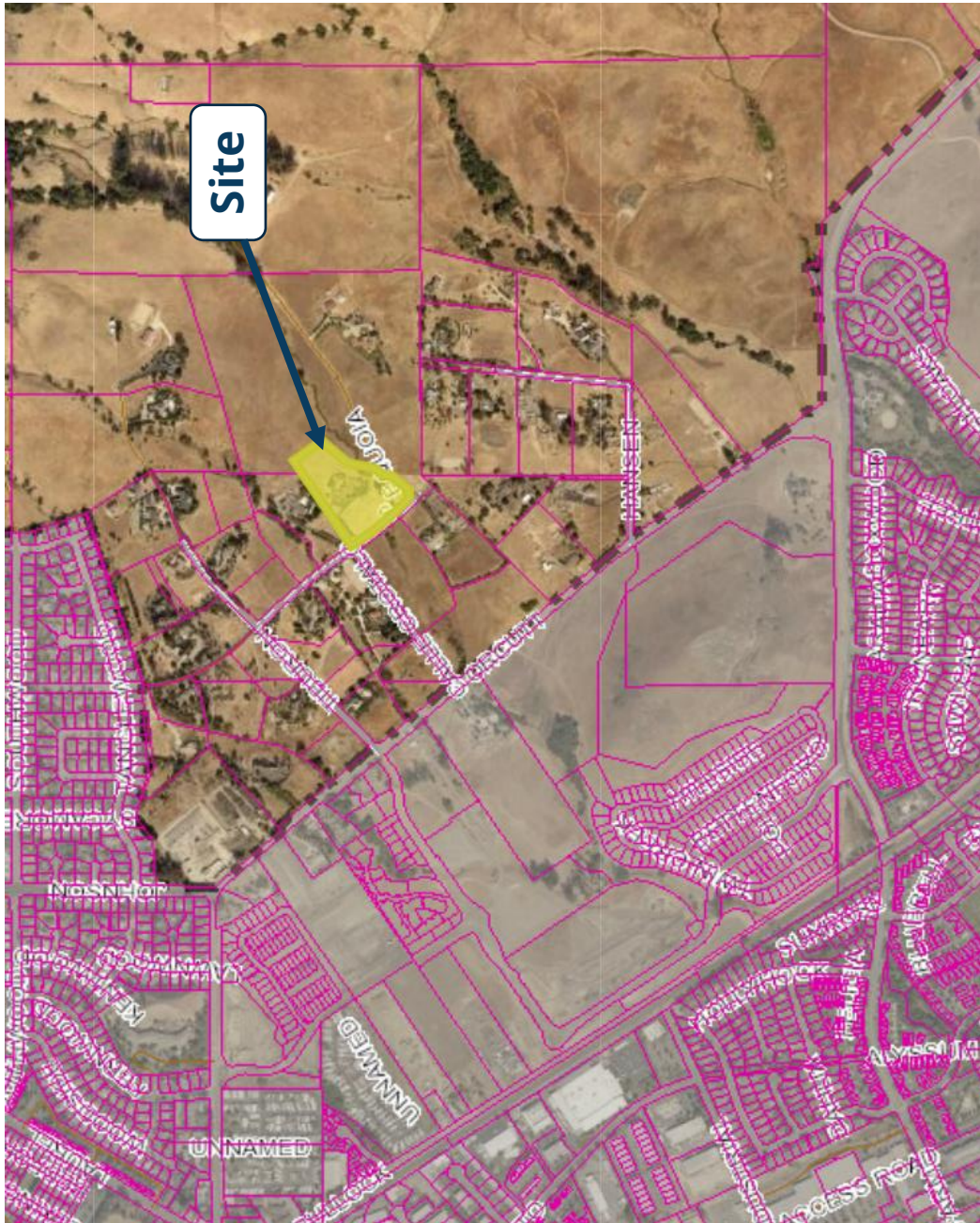




Land Use Category Map
SUB2019-00051/Hanover

COUNTY OF SAN LUIS OBISPO

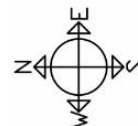




Aerial
SUB2019-00051/Hanover

COUNTY OF SAN LUIS OBISPO





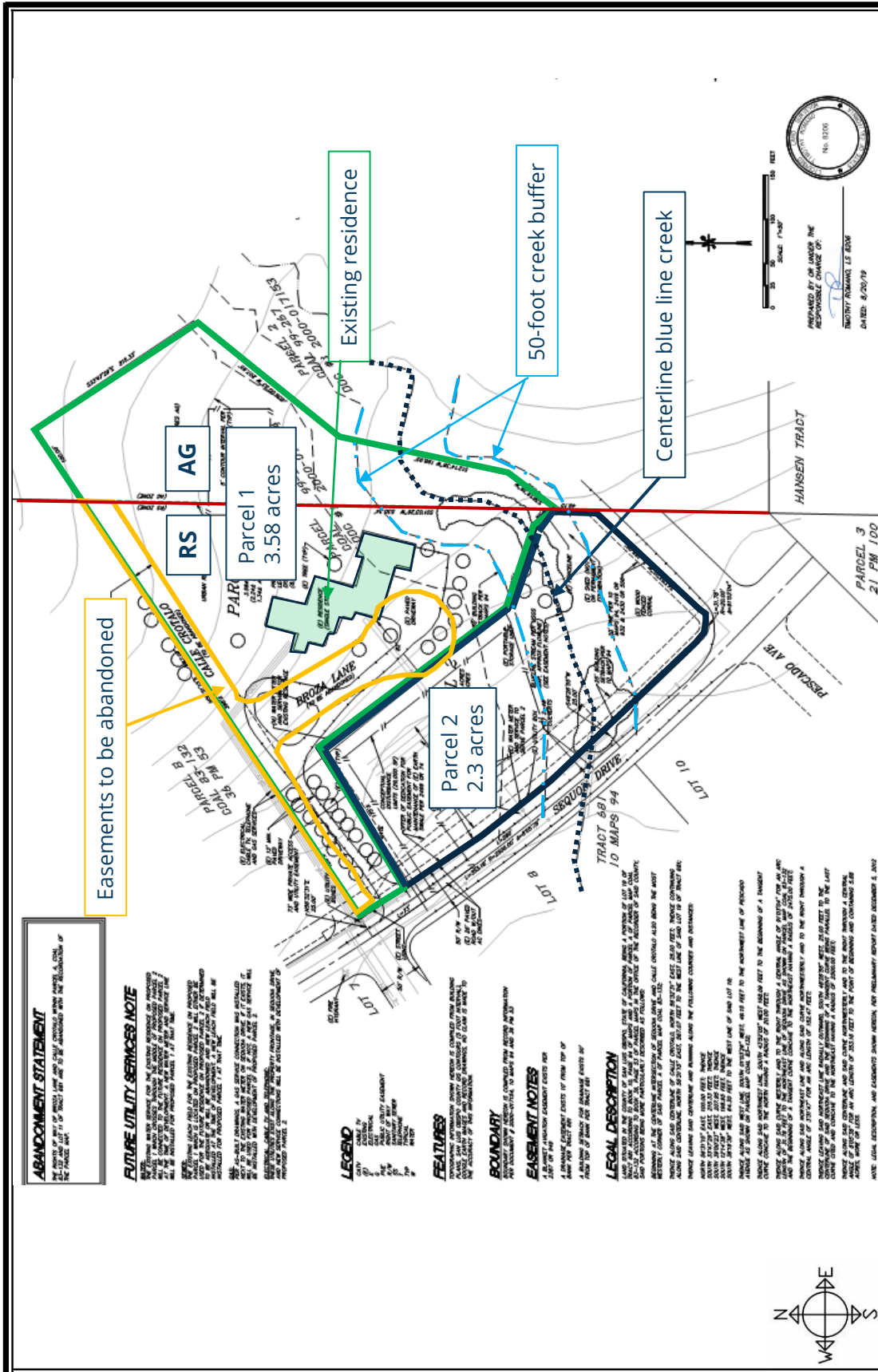
Aerial
SUB2019-00051/Hanover

COUNTY OF SAN LUIS OBISPO



**Tentative Map
SUB2019-00051/Hanover**

COUNTY OF SAN LUIS OBISPO





COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
NEGATIVE DECLARATION & NOTICE OF DETERMINATION

PLN-2040
06/13/2019

ENVIRONMENTAL DETERMINATION NO. ED19-332

DATE: August 6, 2020

PROJECT/ENTITLEMENT: Hanover Parcel Map; SUB2019-00051

APPLICANT NAME: Stephen and Vivian Hanover

Email: vivian@vivianhanover.com

ADDRESS: 3812 Sequoia Drive

CONTACT PERSON: Tim Romano

Telephone: (805) 801-5889

PROPOSED USES/INTENT: Request by Stephen and Vivian Hanover for a Vesting Tentative Parcel Map to allow for the subdivision of a 5.88-acre parcel into two parcels of 2.3 and 3.58 acres each for the purpose of sale and/ or development. The proposal also includes abandonment of the Calle Crotalo and Broza Lane right-of-ways, as shown on recorded Tract 681. The project will result in the disturbance of up to two acres of the 5.88-acre site. The proposed project is located within the Residential Suburban (4.54 acres) and Agricultural (1.34 acres) land use categories. Proposed Parcel 1 would contain 2.3 acres of Residential Suburban and Proposed Parcel 2 would contain 2.24 acres of Residential Suburban and 1.34 acres of Agricultural zoning.

LOCATION: The project is located at 3812 Sequoia Drive, approximately 1,100 feet north-east of Orcutt Road, approximately 0.2 miles south-east of the city of San Luis Obispo in the San Luis Obispo planning area, San Luis Obispo North sub area.

LEAD AGENCY: County of San Luis Obispo
 Dept of Planning & Building
 976 Osos Street, Rm. 200
 San Luis Obispo, CA 93408-2040
 Website: <http://www.sloplanning.org>

STATE CLEARINGHOUSE REVIEW: YES ☒ NO ☐

OTHER POTENTIAL PERMITTING AGENCIES: California Department of Fish and Wildlife

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 4:30 p.m., August 20, 2020
30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination**State Clearinghouse No.** _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and
 has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

County of San Luis Obispo

Signature**Project Manager Name****Date****Public Agency**



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Initial Study – Environmental Checklist

PLN-2039
04/2019

Hanover Parcel Map SUB2019-00051; ED19-332

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input checked="" type="checkbox"/> Public Services
<input type="checkbox"/> Agriculture & Forestry Resources	<input type="checkbox"/> Hazards & Hazardous Materials	<input checked="" type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology & Water Quality	<input checked="" type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities & Service Systems
<input type="checkbox"/> Energy	<input type="checkbox"/> Noise	<input type="checkbox"/> Wildfire
<input type="checkbox"/> Geology & Soils	<input type="checkbox"/> Population & Housing	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Stephanie Fuhs

Prepared by

Signature

Date

Steve McMasters

Reviewed by

Signature

Steve McMasters, Principal
Environmental Specialist

Date

Initial Study – Environmental Checklist

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. Project

DESCRIPTION: Request by Stephen and Vivian Hanover for a Vesting Tentative Parcel Map to allow for the subdivision of a 5.88-acre parcel into two parcels of 2.3 and 3.58 acres each for the purpose of sale and/ or development. The proposal also includes abandonment of the Calle Crotalo and Broza Lane right-of-ways, as shown on recorded Tract 681. The project will result in the disturbance of up to two acres of the 5.88-acre site as a result of future residential development. The proposed project is located within the Residential Suburban (4.54 acres) and Agricultural (1.34 acres) land use categories. Proposed Parcel 1 would contain 2.3 acres of Residential Suburban and Proposed Parcel 2 would contain 2.24 acres of Residential Suburban and 1.34 acres of Agricultural zoning. The project is located at 3812 Sequoia Drive, approximately 1,100 feet north-east of Orcutt Road and approximately 0.2 miles south-east of the city of San Luis Obispo in the San Luis Obispo planning area, San Luis Obispo North sub area.

Proposed Parcel 1 is developed with a single-family residence and proposed Parcel 2 is currently undeveloped. Both parcels will have access off Sequoia Drive.

Planning area standards contained in Land Use Ordinance (LUO) Section 22.96.060F for Tract 681 require a minimum parcel size of two acres and limits residential development to a primary dwelling and accessory structures; no secondary dwellings are allowed. In addition to the existing primary residence on Proposed Parcel 1, the parcel could be developed with a guesthouse and residential accessory structures. Proposed Parcel 2 could be developed with a primary residence, guesthouse and accessory structures as allowed in the Residential Suburban land use category, consistent with the planning area standards.

ASSESSOR PARCEL NUMBER: 076-532-035

Latitude: 35° 15' 33" N **Longitude:** 120° 37' 37" W **SUPERVISORIAL DISTRICT #** 3

B. Existing Setting

Plan Area: San Luis Obispo **Sub:** San Luis Obispo(North) **Comm:** NA

Land Use Category: Residential Suburban Agriculture

Initial Study – Environmental Checklist

Combining Designation: Airport Review

Parcel Size: 5.88 acres

Topography: Gently to moderately sloping

Vegetation: Grasses, shrubs, ornamentals

Existing Uses: Single-family residence(s)

Surrounding Land Use Categories and Uses:

North: Residential Suburban; single-family residence(s)

East: Agriculture; single-family residence(s)

South: Residential Suburban; single-family residence(s)

West: Residential Suburban; single-family residence(s)

C. Environmental Analysis

The Initial Study Checklist provides detailed information about the environmental impacts of the proposed project and mitigation measures to lessen the impacts.

Initial Study – Environmental Checklist

I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project site has frontage on Sequoia Drive, a local road, adjacent to the southeastern city limits of the City of San Luis Obispo. The project site and surrounding parcels are part of Tract 681, a residential subdivision of parcels between two and six acres. The subdivision is adjacent to the City of San Luis Obispo to the north and west. There are larger agriculturally zoned parcels to the east which are generally used for rural homesites with limited grazing. Land Use Ordinance standards limit development on parcels within this subdivision to one primary dwelling, a guesthouse and residential accessory structures. No secondary dwellings are allowed.

Proposed Parcel 1 is currently developed with a single-family residence; proposed Parcel 2 is undeveloped. Both parcels will access off Sequoia Drive via a 73-foot wide private access and utility easement. Surrounding development consists of large residential suburban homes and accessory structures on parcels of two to six acres.

Discussion(a) *Have a substantial adverse effect on a scenic vista?*

The site is visible from Orcutt Road but will not silhouette against any ridgelines as viewed from public roadways. The project, resulting in the development of one additional parcel with residential

Initial Study – Environmental Checklist

and accessory structures is considered compatible with the surrounding residential suburban development. No significant visual impacts are expected to occur.

- (b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The parcel is not located within a state scenic highway and does not contain any significant trees. In addition, there are no rock outcroppings or historic buildings located on the project site.

- (c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

All future development would have to meet standards of Land Use Ordinance Section 22.96.060F, which limits development on each parcel to one primary residence, one guesthouse and residential accessory structures allowed in the Residential Suburban land use category. Properties to the east of the site are designated Agriculture, but no agricultural activities beyond some limited grazing occur within the immediate vicinity. The surrounding landscape is characterized by rolling hills with scattered oak trees. The project is considered compatible with the surrounding residential suburban development. No significant visual impacts are expected to occur.

- (d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Any new development with exterior lighting would be required to abide by the County's Land Use Ordinance for exterior lighting (Section 22.10.060) and have shielded lights. Therefore, the impact is less than significant.

Conclusion

No major aesthetic impacts are expected from this project.

Mitigation

No mitigation measures are needed.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i></p>				
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Project Elements. The following area-specific elements relate to the property's importance for agricultural production:

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Land Use Category: Residential Suburban/
Agricultural

Historic/Existing Commercial Crops: None

State Classification: Farmland of Statewide
Importance

In Agricultural Preserve? Yes, Edna Valley AG
Preserve Area

Under Williamson Act contract? No

Los Osos-Diablo complex (5 - 9% slope).

Los Osos. This gently sloping loamy claypan soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: depth to bedrock, slow percolation. The soil is considered Class III without irrigation and Class III when irrigated.

Diablo. This gently sloping loamy claypan soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to slow percolation. The soil is considered Class III without irrigation and Class III when irrigated.

Los Osos-Diablo complex (9 - 15% slope).

Los Osos. This moderately sloping loamy claypan soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: depth to bedrock, slow percolation. The soil is considered Class III without irrigation and Class III when irrigated.

Diablo. This moderately sloping loamy claypan soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class III without irrigation and Class III when irrigated.

Discussion

- (a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The soil classification of the site is Farmland of Statewide Importance. The majority of the project site is zoned Residential Suburban which allows for residential development. Approximately 1.3 acres of the site (on Proposed Parcel 1) is zoned Agriculture which does not allow for any substantial farming operation to occur due to the limited size. Surrounding agriculturally zoned parcels are primarily used for residences and limited grazing activities. The existing primary use of the property is residential, the proposed subdivision will not cause the conversion of any active farming operation.

- (b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

Surrounding agriculturally zoned parcels are primarily used for residences and limited grazing activities, and the parcel is not under a Williamson Act contract.

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- (c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

There is no change of zoning and there is no forest land, timberland, or timberland zoned Timberland Production in the parcel.

- (d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

There is no forest land on or surrounding the project site, so there is no impact.

- (e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

Surrounding agriculturally zoned parcels are primarily used for residences and limited grazing activities. The existing primary use of the property is residential, the proposed subdivision will not cause the conversion of any active farming operation.

Conclusion

No major agricultural impacts are expected to occur.

Mitigation

No mitigation measures are needed.

Sources

See Exhibit A.

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Setting

The Air Pollution Control District (APCD) has developed and updated their CEQA Air Quality Handbook (2012) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

The project proposes to disturb soils that have been given a wind erodibility rating of 6, which is considered “moderately low”.

The project proposes to disturb soils that have been given a wind erodibility rating of 6, which is considered “moderately high”.

Due to the underlying soils on and in the vicinity of the project site, there is a potential for naturally occurring asbestos.

Discussion

(a) *Conflict with or obstruct implementation of the applicable air quality plan?*

The majority of the site is within the urban reserve line (URL) (the 1.3 acres of agriculturally zoned land is outside the URL). Projects within a URL are considered compatible with the APCD’s adopted clean air plan. From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project will not exceed operational thresholds triggering mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

(b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

While the project is below operational thresholds warranting mitigation, dust control measures are recommended during construction in order to reduce cumulative impacts associated with this project. These measures include the following:

- Reducing the amount of disturbed area when possible.
- Using water trucks and sprinkler systems to prevent dust from leaving the site.
- Dirt stockpiles sprayed daily and as needed.
- Driveways and sidewalks paved as soon as possible.

In addition, the project will be subject to residential wood combustion and developmental burning standards as recommended by the APCD. Incorporation of these measures will reduce impacts to less than significant levels.

(c) *Expose sensitive receptors to substantial pollutant concentrations?*

The project is for residential development within an area of existing residences. The addition of one additional primary residence and potentially two guesthouses and residential accessory structures will not create substantial pollutant concentrations.

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If underlying soils contain asbestos, grading and ground disturbance could expose individuals to asbestos containing dust. Mitigation has been included that includes dust control measures and testing for asbestos. These measures will reduce these impacts to and less than significant level.

- (d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

The project is for residential development within an area of existing residences. The addition of one additional primary residence and potentially two guesthouses and residential accessory structures will not result in other emissions that would adversely affect a substantial number of people.

Conclusion

While the project is below operational thresholds warranting mitigation, dust control measures are recommended during construction in order to reduce cumulative impacts associated with this project. These measures are discussed below.

The project will also be subject to residential wood combustion and developmental burning standards as recommended by the APCD. Incorporation of these measures will reduce impacts to less than significant levels.

Prior to grading or site disturbance, the applicant has agreed to retain a qualified individual to conduct a geologic investigation for naturally occurring asbestos. If asbestos is present, the applicant would comply with Asbestos Air Toxin Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements include but are not limited to implementation of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program.

Mitigation

AQ-1. Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to significantly reduce fugitive dust emissions, to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans:

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions: <http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>
- c. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;

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- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. To prevent 'track out', install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. 'Track-Out' is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. The 'track-out prevention device' can be any device or combination of devices that is effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM10 mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2. **At the time of application for construction permits, the following shall be added to the construction plans:** Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.

AQ-3. **Prior to any site disturbance,** the applicant shall have a geologic evaluation completed to determine if naturally occurring asbestos (NOA) is present within the area of disturbance. If NOA is

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not present, an exemption request shall be filed with the APCD. If NOA is present, the applicant shall comply with all requirements of the Air Toxics Control Measure.

- AQ-4. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans, and installed as approved by the County.

See Exhibit A.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

On December 17, 2018, a biological survey was conducted by Jason Dart (principal biologist) and Kelly Surgalski (biologist), and a second late season Biological Resources Assessment (BRA) was conducted on October 30, 2019. Observations of wildlife and signs of wildlife were also recorded, as well as birds from sight and/ or vocalizations. A California Natural Diversity Database (CNDDB) search was completed for the project site. The assessment showed that California annual grassland, pasture, riparian, wetland, and anthropogenic habitat types were present on the project site. California grassland was the most prevalent shrubbery, occupying approximately 3.7 acres of the site. There is a riparian corridor associated with seasonal drainage that can support hydrophytes but does not have a suitable water supply to support fish, turtles, or California red-legged frogs.

The botanical survey results show 43 species and subspecies of vascular plants on the property, 17 native and 36 introduced species. No special status species were identified on the property. A second survey done in October of 2019 determined that Congdon's tarplant does not occur on the property. The wildlife survey results showed that one amphibian (the common Sierra treefrog) and four species of common birds are present on the site. Other common wildlife are expected to be present, either long term or temporary, including several other amphibians, reptiles, birds and mammals.

A subsequent spring botanical survey was prepared (Althouse and Meade, May 29, 2020). This survey found a large population of Cambria Morning Glory, a sensitive plant species, on the property outside of current development on Parcel 1. These plants are also outside the conceptual limits of the proposed leach field expansion area.

Discussion

- (a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

A white-tailed kite was observed foraging during the December 2018 survey, but has low potential to nest on the project site due to a lack of suitable nesting tree habitat. In the event white-tail kites are found on site, avoidance measures must be followed to reduce potential impact.

The spring survey found Cambria Morning Glory, a sensitive plant species on the property. The areas where the plant currently occurs is outside of the existing development on Proposed Parcel 1

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and the conceptual area for the proposed leach field expansion. Mitigation measures have been included for avoidance and protection of these plants. If these areas cannot be avoided, a mitigation plan will be prepared and adhered to during any site disturbance and/or construction activities on both parcels.

- (b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

The southern portion of the site contains riparian habitat. The tentative map shows a 50-foot setback that was recorded with Tract 681 that created the parent parcel. In addition, the map also shows a 100-foot setback from the creek for new wastewater systems. These setbacks will make effects on the riparian habitat less than significant.

- (c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The project site does not contain state or federally protected wetlands. The project will provide a 50-foot setback for structures from the blue-line creek for any new development as well as a 100-foot setback for new wastewater systems. No site disturbance will occur within these areas, so any impacts to wetland areas or creeks will be avoided.

- (d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

The presence of migratory bird has the possibility to affect the project. Migratory bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918, and the California Fish and Game Code prohibit take of all native birds and their active nests, including raptors and other migratory non-game birds. Impact is less than significant with proposed mitigation measures incorporated.

- (e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The project is not expected to conflict with any tree preservation ordinances.

- (f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

There are no known conflicts with any conservation plans.

Conclusion

Mitigation measures are proposed to address potential impacts to biological resources including avoidance and protection measures for existing Cambria Morning Glory populations on the site and a nesting bird survey prior to any site disturbance and/or development on the proposed parcels if construction is to occur during the nesting season. Incorporation of these measures will reduce impacts to a level of insignificance.

Mitigation

BIO-1. **Avoidance.** Any future development on the proposed parcels shall be designed to avoid direct impacts to Cambria Morning Glory. The avoidance areas shall include the mapped location of the

Initial Study – Environmental Checklist

plants plus a 10-foot protective buffer. The location of the plants and the 10-foot protective buffer shall be indicated as a Sensitive Resource Area (SRA) and shall be included on the additional map sheet for the parcel map and all subdivision improvement plans and construction permit plans.

- BIO-2. If avoidance is not feasible, the applicant shall submit a restoration plan, prepared by a qualified biologist, to be reviewed and approved by the County Planning and Building Department, **prior to issuance of construction permits**. This plan shall include, at a minimum, the following:
- Identification of the type and number of plants to be removed.
 - Identification of locations, amounts, size and types of plants to be replanted, as well as any other necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful reestablishment.
 - Provide for a native seed collection effort prior to any ground disturbing activities. Collection of native seed shall be propagated by a County approved biologist. Plant shall include, but not be limited to California Native Plant Society (CNPS) listed plant species that may be affected.
 - Quantification of the impact based on construction drawings and quantification of mitigation areas such that the replacement criteria are met (2:1 acreage ratio or 3:1 for individual plants).
 - A program schedule and success criteria for a minimum five-year monitoring and reporting program that is structured to ensure the success of the restoration plan.
 - Identification of access and methods of materials transport to the restoration area, including personnel, vehicles, tools, plants, irrigation equipment, water and all other similar supplies. Access shall not result in new or additional impacts to habitat and special status species.
 - The restoration plan shall incorporate an invasive species control program.
- BIO-3. **Protection. At the time of application for construction permits**, the applicant shall show the location of the SRA and 10-foot buffer area on the construction plans. If work will be occurring within 50 feet of the SRA, construction plans shall also show the location and type of protective fencing to be used to delineate the SRA. **Prior to any site disturbance**, protective fencing shall be installed to delineate the SRA during construction activities and shall be maintained in good condition throughout construction to ensure remaining work activities do not pose a risk for impacting the plants. Signage stating "Sensitive Resource Area: Keep Out" shall be placed along the fencing. Entry into the protected area shall be prohibited during construction.
- BIO-4. **At the time of application for construction permits**, the applicant shall show all development located a minimum of 50-feet from the creek.
- BIO-5. **Prior to any site disturbance**, the applicant shall provide construction fencing at the edge of the riparian vegetation on the project site. This area will be marked by orange construction fencing which shall be installed **prior to any site disturbance** and remain in place throughout the grading and construction phases.
- BIO-6. The applicant shall avoid removal of vegetation or any other ground disturbance between February 1st and September 1st to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and

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nesting habitat on the site for breeding and/or nesting birds **no more than two weeks prior to construction or site disturbance activities**. Results of the surveys shall be submitted to the County Department of Planning and Building for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures, including recommended buffers, shall be developed and submitted for review and approval by the County, in consultation with the California Department of Fish and Wildlife (CDFW) and the applicant shall adhere to these measures during all construction activities on the site.

Sources

See Exhibit A.

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The project is located in an area historically occupied by the Chumash Native American tribe.

San Luis Obispo county possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American inhabitation, Spanish missionaries, immigrant settlers, and military branches of the United States.

As defined by CEQA, a historical resource includes:

1. A resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR).
2. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant. The architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural records of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence.

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Pursuant to CEQA, a resource included in a local register of historic resources or identified as significant in an historical resource survey shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

A Phase I surface survey was conducted as part of the Environmental Impact Report prepared for Tract 681. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

Discussion

(a) *Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?*

According to the Cultural Resources Survey, no known historical resources are present on the project site. Therefore, the project would have *no impact* on historical resources.

(b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*

No known archaeological resources are present on the project site. As noted above, the Cultural Resources Survey identified no known archaeological sites within 0.5 miles and a pedestrian survey was also negative for resources. In the unlikely event resources are uncovered during grading activities, implementation of LUO Section 22.10.040 (Archaeological Resources) would be required, which states:

In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply:

A. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

B. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

Based on the low known sensitivity of the project site, and with implementation of LUO Section 22.10.040, impacts to archaeological resources would be less than significant

(c) *Disturb any human remains, including those interred outside of dedicated cemeteries?*

The nearest dedicated cemetery is the San Luis Cemetery, located 2.4 miles to the east. The record and literature search of the project area did not identify any know burial sites within 0.5 miles of the project. Additionally, consultation with the Native American tribes did not result in identification of known burials (See Section XVIII. Tribal Cultural Resources). Based on the low known sensitivity of the project site, and with implementation of LUO Section 22.10.040, impacts to human remains are expected to be *less than significant*.

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Conclusion

County land Use Ordinance Section 22.10.040 includes a provision that construction work cease in the event resources are unearthed with work allowed to continue once the issue is resolved. No significant archaeological or historical resource impacts are expected to occur

Mitigation

No mitigation measures beyond what are already required by ordinance are necessary.

Sources

See Exhibit A.

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2019).

The County has adopted a Conservation and Open Space Element (COSE) that establishes goals and policies that aim to reduce vehicle miles traveled, conserve water, increase energy efficiency and the use of renewable energy, and reduce greenhouse gas emissions. This element provides the basis and direction for the development of the County's EnergyWise Plan (EWP), which outlines in greater detail the County's strategy to reduce government and community-wide greenhouse gas emissions through a number of goals, measures, and actions, including energy efficiency and development and use of renewable energy resources.

The EWP established the goal to reduce community-wide greenhouse gas emissions to 15% below 2006 baseline levels by 2020. Two of the six community-wide goals identified to accomplish this were to "[a]ddress future energy needs through increased conservation and efficiency in all sectors" and "[i]ncrease the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of local energy use by 2020." In addition, the County has published an EnergyWise Plan 2016 Update to summarize progress toward implementing measures established in the EWP and outline overall trends in energy use and emissions since the baseline year of the EWP inventory (2006).

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The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2019 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements.

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO 22.14.100).

Discussion

- (a) *Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

The project is a 2-lot Parcel Map which will result in potentially one new primary residence, two guesthouses and accessory structures allowed in the Residential Suburban land use category. New development will be subject to Title 24 requirements and will incorporate energy and construction efficiencies. The project site is located in an already developed area that have access to utilities which will not result in a potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources.

- (b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

The project is not located in a renewable energy area combining designation. New construction on the parcels will have the option to provide for the use of renewable energy for some or all of the structure's power needs.

Conclusion

No significant impacts to energy resources are anticipated.

Mitigation

No mitigation measures are considered necessary.

Sources

See Exhibit A.

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VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The project site is gently sloping to moderately sloping and the soils on the site have a moderate to high shrink-swell (expansive) potential. The project site is not within the County's Geologic Study Area and has a low landslide risk and low to moderate liquefaction potential. The nearest potentially active fault is approximately 1.95 miles southwest of the project site. There are no notable geologic features on the project site, including serpentine or ultramafic rock/soils.

Los Osos-Diablo complex (5 - 9% slope).

Los Osos. This gently sloping loamy claypan soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: depth to bedrock, slow percolation. The soil is considered Class III without irrigation and Class III when irrigated.

Diablo. This gently sloping loamy claypan soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to slow percolation. The soil is considered Class III without irrigation and Class III when irrigated.

Discussion

(a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

(a-i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

The project site is not located within an Alquist-Priolo Fault Hazard Zone. An unnamed fault is located approximately 1.95 miles southwest of the project site. Potential adverse impacts related to known fault zones would be *less than significant*.

(a-ii) *Strong seismic ground shaking?*

The project would be required to comply with the California Building Code (CBC) to ensure the effects of a potential seismic event would be minimized to the greatest extent feasible. Therefore, impacts would be *less than significant*.

(a-iii) *Seismic-related ground failure, including liquefaction?*

Based on the County Safety Element Liquefaction Hazards Map is located in an area with low to moderate potential for liquefaction risk. Future development will need to comply with current building codes which will address any potential liquefaction risk.

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(a-iv) *Landslides?*

Based on the County Safety Element Landslide Hazards Map is located in an area with low potential for landslide risk. Therefore, the project would not cause adverse effects involving landslides and impacts would be *less than significant*.

(b) *Result in substantial soil erosion or the loss of topsoil?*

The project would result in up to two acres of site disturbance and does not include substantial grading or vegetation removal. During grading activities there would be a potential for erosion and sedimentation to occur. A sedimentation and erosion control plan is required for all construction and grading projects (LUO Section 22.52.120) to minimize potential impacts related to erosion and sedimentation, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation. Upon implementation of the above control measures, as recommended by the county, impacts related to soil erosion and sedimentation would be reduced to *less than significant*.

(c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the Landslide Hazards Map provided in the County Safety Element, the project site is not located within an area with slopes susceptible to local failure.

The project would be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread. Based on the County Safety Element and USGS data, the project is not located in an area of historical or current land subsidence (USGS 2019). Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with low to moderate potential for liquefaction risk. Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse would be less than significant.

(d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

The project is located on soil with high expansive risk. Standard building code requirements will be required when residential building permits are applied for to address this issue

(e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

On May 20, 1998 a septic test was done on the project site. The existing disposal field was originally designed to support the daily flow of a three-bedroom house and is located on Proposed Parcel 2. A new wastewater system will need to be constructed on Parcel 1 to serve the existing residence prior to recordation of the final map. The location is shown on the tentative map. The existing wastewater system on Proposed Parcel 2 may need to be relocated in order to provide adequate area to construct a new residence. The relocation, if needed, will be located outside of the 100-foot setback from the creek. All of the existing parcels in Tract 681 have wastewater systems and there is no history of failure due to inadequate soil capacity, so it is anticipated that the new parcels can design a system able to handle the wastewater associated with one new primary residence and potentially two new guesthouses.

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(f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No unique geologic features exist on the project site and would therefore not be affected. Therefore, impacts to paleontological resources and unique geologic features would be *less than significant*.

Conclusion

Based on compliance with existing LUO and Building Code standards, and NPDES requirements, impacts resulting from geology and soils would be less than significant.

Mitigation

There is no evidence that measures above what will already be required by ordinance or codes are needed, and no mitigation measures are considered necessary.

Sources

See Exhibit A.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

As noted in Section 3 Air Quality, the project site is located in the South Central Coast Air Basin (SCCAB) under the jurisdiction of the San Luis Obispo County Air Pollution Control District (SLOAPCD). The SLOAPCD has developed and updated a CEQA Air Quality Handbook (2012) and clarification memorandum (2017) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Greenhouse Gas (GHG) Emissions have been found to result in an increase in the earth's average surface temperature by exacerbating the naturally occurring "greenhouse effect" in the earth's atmosphere. The rise in global temperature is has been projected to lead to long-term changes in precipitation, sea level, temperatures, wind patterns, and other elements of the earth's climate system. This phenomenon is commonly referred to as global climate change. These changes are broadly attributed to GHG emissions, particularly those emissions that result from human production and use of fossil fuels.

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The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects, the Bright-Line Threshold of 1,150 metric tons of carbon dioxide per year (MT CO₂e/year) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO₂e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above-mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the CARB (or other regulatory agencies) and will be "regulated" either by CARB, the federal government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio Standards, and the Clean Car Standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation

Discussion

(a-b) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less

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than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, impacts *would be less than significant*.

Conclusion

The project is below the operational thresholds for greenhouses gases warranting mitigation measures.

Mitigation

No mitigation measures are considered necessary.

Sources

See Exhibit A.

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project is not located in an area of known hazardous material contamination and is not on a site listed on the "Cortese List" (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5) (SWRCB 2019; California Department of Toxic Substance Control [DTSC] 2019). The project is located within a moderate fire hazard severity zone within a State Responsibility Area and based on the County's response time map, it will take approximately 0 to 5 minutes to respond to a call regarding fire or life safety. The project is not located within an Airport Review Area and the closest active landing strip San Luis Obispo Regional Airport, is 1.56 miles southwest of the project site.

Discussion

- (a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The future uses of this site would be residences and residential accessory structures. It is highly unlikely that any residential structures will involve the routine transport, use, or disposal of any hazardous materials. The impact is less than significant.

- (b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Handling of these materials has the potential to result in an accidental release. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws. Additionally, the construction contractor would be required to implement BMPs for the storage, use, and transportation of hazardous materials during all construction activities. Therefore, impacts would be *less than significant*.

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- (c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The nearest school is Sinsheimer Elementary School, located 1.14 miles to the west. There are no schools within a quarter mile of the proposed project. Therefore, there would be *no impact*.

- (d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The project is not located in an area of known hazardous material contamination and is not on a site listed on the "Cortese List" pursuant to Government Code Section 65962.5. Therefore, there would be *no impact*.

- (e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The project is within the County's Airport Review combining designation (AR). The AR is used to recognize and minimize the potential conflict between new development around the San Luis Obispo airport and the ability of aircraft to safely and efficiently maneuver to and from this airport. This includes additional standards relating to limiting structure/vegetation heights as well as avoiding airport operation conflicts (e.g., exterior lighting, radio/electronic interference, etc.). The Airport Land Use Plan (ALUP) provides guidance for and limitations to the type of development allowed within the AR designation. Per the ALUP, the proposed use is considered "compatible". The project was referred to the County Airport Manager and it was recommended that an avigation easement be obtained if an easement does not currently exist. An avigation easement was recorded with Tract 681; however, wording of the easement has changed since the map recorded; therefore, new easements have been required for projects where the avigation easement is over five years old. All projects within the AR designation are required to obtain an avigation easement to secure avigable airspace.

- (f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The project would not conflict with any regional emergency response or evacuation plan as the existing access roads would be wide enough to accommodate emergency vehicles and the project footprint is small. Construction and operation of the project would not require road closure, and the project would not physically block the onsite residents from evacuating during an emergency. All future roads would be required to comply with the Cal Fire specifications. Therefore, impacts would be *less than significant*.

- (g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

According to Cal Fire, the project site is located in a moderate fire hazard severity zone within a State Responsibility Area. The response time for fire protection services is less than 5 minutes. Therefore, impacts related to risk of loss, injury or death involving wildland fires would be *less than significant*.

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Conclusion

No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary. Recordation of an avigation easement prior to recordation of the final parcel map will be required as a condition of approval.

Mitigation

No mitigation measures are considered necessary.

Sources

See Exhibit A.

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project proposes to obtain its water needs from a community system (Afuera de Chorro Water Company). The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Per planning area standards contained in the San Luis Obispo Area Plan, lots in Tract 681 can be further subdivided equating to 17 additional parcels.

Based on this potential cumulative impact, a groundwater evaluation was prepared (Charles Katherman, August, 2006) and reviewed by Hyrdo-Geo Consultants, Inc. (November 2006). Based on available information, the proposed water source was deemed to be adequate to serve the potential buildout of this subdivision. Since the water source is located in an area of fractured rock, the report recommended water conservation measures to ensure that if Tract 681 is built out, adequate water supply will be available to service all of the new parcels.

The topography of the project is nearly level to gently sloping. The closest creek from the proposed development is approximately 270 feet to the north. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

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Discussion

- (a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

There is an intermittent creek running through the southern portion of the site. The tentative map shows the 50-foot setback from the creek for future structural development and 100-foot setback for future septic systems as recorded with Tract 681. Compliance with these setbacks will result in less than significant impacts to surface and ground water quality.

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

In addition, stormwater runoff from the development may adversely impact adjacent residential properties, including soil erosion and sedimentation. Drainage and stormwater management measures are required by ordinance required by ordinance.

- (b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The project proposes to rely on Afuero de Chorro Water Company, a private water supply company to serve the newly created parcels. The project will not significantly decrease groundwater supplies because the project would result in a total of one new primary residence and two new guesthouses. The water company has provided a letter stating they have available capacity to serve this project.

The addition of structures on the land could lead to a diversion of runoff to recharge groundwater, but the main water recharge source for the groundwater basin is infiltration from precipitation, applied irrigation water, and streamflow. The addition of one additional primary dwelling and two additional guesthouses would have a less than significant impact.

- (c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- (c-i) *Result in substantial erosion or siltation on- or off-site?*

The project contains Los Osos Diablo complex (5 - 9% slope) and Los Osos Diablo complex (9 - 15% slope) soils. Both soil types have moderate erodibility and is not well to very poorly drained. Standard erosion and sedimentation control measures are required by ordinance. Implementation of these measures will reduce potential impacts to a level of insignificance.

Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Based on the allowable density of two primary residences and two guesthouses and the minimal amount of increased impervious surfaces for road improvements, the project will not substantially increase the amount of surface runoff. Existing regulations for drainage and stormwater will address the project's contribution to surface runoff. Impacts are not considered significant.

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- (c-ii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Based on the allowable density of two primary residences and two guesthouses and the minimal amount of increased impervious surfaces for road improvements, the project will not substantially increase the amount of surface runoff. Existing regulations for drainage and stormwater will address future project contributions to stormwater. Impacts are not considered significant.

- (c-iii) *Impede or redirect flood flows?*

The project is not located within a flood zone, but the site does have a drainage channel running along the southwestern property line. This creek acts as a refill source for the groundwater basin. The project will be required to comply with drainage and stormwater regulations to ensure the new impervious surfaces will not significantly impact on-site resources or offsite properties.

- (d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Based on the County Safety Element Dam Inundation Map, the project site is not located in an area that would become inundated in the event of dam failure. The proposed project is not located in a 100-year flood zone, and the Pacific Ocean is located more than 20 miles from the project site. The likelihood of flood, tsunami, or seiche affecting the project site is very low and therefore impacts would be *negligible*.

- (e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The project site is not located in an area with an adopted water quality control plan or sustainable groundwater management plan.

Conclusion

The annual indoor estimated water use for the project is 0.018 acre feet per year (AFY) based on a “worst case” scenario of one primary dwelling and one guesthouse per parcel. The annual outdoor usage is estimated at 0.51 AFY for a total of 0.53 AFY for the project at buildout. Based on available water information, there appears to be sufficient water to supply the project because the primary use of the water will be for four new residences and potentially four new secondary dwellings. Any new landscaping will need to comply with MWEL standards (drought tolerant, low water using plants).

Existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality. Based on the proposed amount of water to be use and the water source, no significant impacts from water use are anticipated.

Mitigation

No mitigation measures are considered necessary.

Sources

See Exhibit A.

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XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The proposed project is subject to the following Planning Area Standard(s) as found in the County's LUO:

1. LUO Section 22.96.060 – San Luis Obispo URL
2. LUO Section 22.060.F1 – RS Tract 681
3. LUO Section 22.96.020 – Airport Review Area
4. LUO 22.96.040 – San Luis Obispo Sub-Area

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

The project site is within the City of San Luis Obispo's Greenbelt which encourages parcels of 20 acres or larger and to have development areas clustered and open spaces easements recorded for the remaining areas of the parcels. Referral responses from the City on other projects within Tract 681 detail recommendations based on adopted City policies (no referral response received for this project).

*Discussion**(a) Physically divide an established community?*

The location of the proposed project is in Tract 681 a subdivision that has Land Use Ordinance standards for further subdivision and residential density. When the project was originally approved, it was intended that the area would someday be annexed into the City of San Luis Obispo. Offers of dedication were provided on the recorded map to provide for adequate circulation in the event the area was annexed and further subdivided. These offers of dedication have been removed with each subdivision in order to comply with current County ordinances for this residential suburban

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neighborhood. The proposed project is located on an existing parcel and would not involve any components that would physically divide the surrounding community, therefore, there would be *no impact*.

- (b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

County policies were adopted specific to Tract 681 that limited any new parcel size to two acres and limited residential density to one primary residence and a guesthouse, with no secondary dwellings allowed. These County policies will only allow each parcel to be subdivided once and will limit the development potential as described above. These limits on future development will keep large areas of the entire subdivision in open space. No mitigation measures requiring open space easements are being recommended because the project is consistent with adopted County policies. The project would be conditioned to be consistent with standards set forth by County Fire/CAL FIRE, Environmental Health, and the Department of Public Works. Therefore, impacts related to inconsistency with land use and policies adopted to address environmental effects would be *less than significant*.

Conclusion

No inconsistencies were identified and therefore no additional measures above what will already be required are considered necessary.

Mitigation

No mitigation measures are considered necessary.

Sources

See Exhibit A.

XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Setting

The County Land Use Ordinance provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The proposed project is not located within an EX or EX1 designation. An inactive mining operation is located approximately 0.28 miles southwest of the project site.

Discussion

- (a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

There are no known mineral resources on the project site, therefore impacts would be *less than significant*.

- (b) *Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

Based on Chapter 6 of the County of San Luis Obispo General Plan Conservation and Open Space Element – Mineral Resources, the project site is not located within an extractive resource area or an energy and extractive resource area, and the site is not designated as a mineral resource recovery site. Therefore, impacts related to preclusion of future extraction of locally important mineral resources would be *less than significant*.

Conclusion

Due to the lack of known valuable minerals on the project site, and the lack of a mineral resource recovery designation, the proposed project would not result in the loss of availability of or future extraction of valuable mineral resources.

Mitigation

No mitigation measures are necessary.

Sources

See Exhibit A.

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The existing ambient noise environment is characterized by traffic on Sequoia Drive, as well as agricultural equipment from surrounding properties. Noise-sensitive land uses typically include residences, schools, nursing homes, and parks. The nearest onsite sensitive receptor is a residence, and the nearest offsite sensitive receptor to the project is a residence located that lies approximately 100 feet from the subject property on the property adjacent to the northeast. The project is located within an Airport Review Area and the closest active landing strip, San Luis Obispo Regional Airport, is 1.5 miles southwest of the project site.

The County Land Use Ordinance Section 22.10.120 establishes maximum allowed noise levels for both daytime (7 a.m. to 10 p.m.) and nighttime (10 p.m. to 7 a.m.) hours, as shown below. The maximum allowed exterior hourly noise level is 50 db for the daytime hours and 45 db for the nighttime hours.

Discussion

- (a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The noise profile from future uses of the site would be consistent with the surrounding residential uses. Parcel 1 already contains residential uses, and the addition of any future uses are limited by County Code Section 22.06.030. Parcel 2 is currently undeveloped but is subject to the same standards for the residential suburban land use category. Any future development will have to be compatible with the surrounding character of the area. The only projected noise emitted would be during the construction period of the project.

Project construction activities will generate short-term (temporary) construction noise. These activities will be limited to the daytime hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday or Sunday, in accordance with County construction noise standards (County Code Section 22.10.120.A).

Noise impacts resulting from both construction and operation of the proposed facility are expected to be *less than significant*.

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(b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

Operation of the proposed project would not result in groundborne vibration. No construction equipment or methods are proposed that would generate substantial ground vibration. Therefore, impacts related to temporary or permanent groundborne vibration would be *less than significant*.

(c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The project is located within an Airport Review Area for the San Luis Obispo Regional Airport which is located 1.5 miles to the southwest of the project site. While the project site is located in close proximity to the airport, the noise levels from incoming and outgoing flight patterns does not exceed the acceptable noise levels warranting mitigation.

Conclusion

Future development will not be located within an area exceeding Noise Element standards.

Mitigation

No mitigation measures are considered necessary.

Sources

See Exhibit A.

XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

In its efforts to provide for affordable housing, the County currently administers the Home Investment Partnerships Program (HOME) and the Community Development Block Grant (CDBG) Program, which provides limited financing to projects relating to affordable housing throughout the county. The County's

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Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Discussion

- (a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The proposed project would not result in new jobs in the area that would require new housing. This subdivision is consistent with the original subdivision of Tract 681 and associated County Land Use Ordinance standards.

The land is zoned for Residential Suburban and the size of the new lots are permitted by the LUO section 22.22.070. The land is already zoned for this usage which shows that it is permissible for this land to support the subdivision. Therefore, no impacts would occur.

- (b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The existing residence on this parcel would not be affected by the subdivision and there will not be any displacement caused by the project. Therefore, there would be *no impact* on displacement of housing or need for new housing.

Conclusion

No significant population and housing impacts would occur.

Mitigation

No mitigation measures are necessary.

Sources

See Exhibit A.

XV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project area is served by the following public services/facilities:

Police: County Sheriff

Location: San Luis Obispo (approximately 0.25 miles east)

Fire: Cal Fire / County Fire

Hazard Severity: Moderate

Response Time: 0 to 5 minutes

Location: #21 Airport Station Approximately 1.5 miles southwest

School District: San Luis Coastal Unified School District.

Discussion

- (a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire protection?

The proposed project was reviewed by County Fire/Cal Fire for consistency with the Uniform Fire Code and will be required to adhere to the requirements of Uniform Fire Code. The proposed project, along with other projects in the area, will result in a cumulative effect on fire protection services. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the public facility fees in place. Therefore, impacts would be less than significant.

Police protection?

The proposed project, along with other projects in the area, would result in a cumulative effect on police protection services. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property that was used to estimate the public facility fees in place. Therefore, impacts would be *less than significant*.

Schools?

The proposed project, along with other projects in the area, would result in a cumulative effect on schools in the area. The project's direct and cumulative impacts would be within the general

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assumptions of allowed use for the subject property that was used to estimate the public facility fees in place. Therefore, impacts would be *less than significant*.

Parks?

The proposed project, along with other projects in the area, would result in a cumulative effect on parks. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property that was used to estimate the public facility fees in place. Therefore, impacts would be *less than significant* with the payment of Quimby fees which are fees paid on new vacant parcels for the improvement or development of neighborhood or community parks. The "Quimby" fee will adequately mitigate the project's impact on recreational facilities.

Other public facilities?

The proposed project site would be accessed by the existing local circulation system and onsite roads and would not generate substantial long-term operational trips. Therefore, potential impacts on public services or utilities would be *less than significant*.

Conclusion

No significant impacts to public services would occur.

Mitigation

No mitigation measures are necessary.

Sources

See Exhibit A.

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The County of San Luis Obispo Parks and Recreation Element (Recreation Element) establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing, and the

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development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. The Recreation Element does not show any existing or potential future trails going through or adjacent to the project site.

Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

Discussion

- (a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Implementation of the proposed parcel map and future build-out and occupation of new residences on the new residential parcel would contribute to the local and cumulative demand for recreational resources in San Luis Obispo County. This increase in demand is not significant and payment of Quimby fees will adequately address the project's cumulative contribution to the demand for parks and recreational facilities.

- (b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The two-lot parcel map does not include recreational facilities that would require construction or expansion of recreational facilities.

Conclusion

The "Quimby" fee will adequately mitigate the project's impact on recreational facilities. No significant recreation impacts are anticipated.

Mitigation

No mitigation measures are considered necessary.

Sources

See Exhibit A.

XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The County has established the acceptable Level of Service (LOS) on roads for this urban area as “D” or better. The existing road network in the area includes Sequoia Drive and Orcutt Road which are operating at an acceptable level of service. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

Referrals were sent to County Public Works and the City of San Luis Obispo. No significant project specific traffic-related concerns were identified.

Airport Review Combining Designation. The project is within the County’s Airport Review combining designation (AR). The AR is used to recognize and minimize the potential conflict between new development around the San Luis Obispo County airport and the ability of aircraft to safely and efficiently maneuver to and from this airport. This includes additional standards relating to limiting structure/vegetation heights as well as avoiding airport operation conflicts (e.g., exterior lighting, radio/electronic interference, etc.). The Airport Land Use Plan (ALUP) provides guidance for and limitations to the type of development allowed within the AR designation. Per the ALUP, the proposed use is considered “compatible”. The project was referred to the County Airport Manager, no comments were received. All projects within the AR designation are required to obtain an aviation easement to secure avigable airspace.

Discussion

- (a) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

The City of San Luis Obispo has adopted a fee program to mitigate the cost of improving and maintaining Orcutt Road as part of the Orcutt Road Specific Plan. This project will be conditioned to pay the City of San Luis Obispo traffic impact fees at the time of issuance of construction permits.

- (b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

CEQA Guidelines section 15064.3 does not apply until July 1, 2020 and the County has not elected to be governed by the provisions of this section in the interim. Therefore, this threshold does not apply and there is *no impact*. Even if the threshold did apply at this time, the project would generate minimal traffic (approx. an additional 10 trips/day). This is well below the suggested screening threshold of 110 trips/day identified in the State guidance (Technical Advisory on Evaluating Transportation Impacts in CEQA; Office of Planning & Research, December 2018), and the impact would be insignificant.

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- (c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The project would not alter any existing public roads or create new roads, so there is no impact.

- (d) *Result in inadequate emergency access?*

Sequoia Drive is currently able to accommodate farm equipment, construction vehicles, and emergency vehicles. The project would have the highest risk of emergencies occurring during construction, which would be temporary. The new road must abide to Cal Fire standards for accessibility to allow emergency vehicles. Additionally, the proposed project would not block or alter egress routes for the existing onsite residents. Therefore, impacts related to emergency access would be *less than significant*.

Conclusion

No significant transportation-related impacts would occur. The only mitigation measure necessary is the payment of City of San Luis Obispo traffic impact fees at the time of issuance of construction permit to address cumulative impacts.

Mitigation

- T-1. In order to mitigate offsite traffic impacts at various locations, the subdivider shall pay pertinent City transportation impact fees. These fees shall be paid **at the time of building permit issuance** in accordance with AB1600 but could be paid prior to map recordation consistent with County Policies. The fees include Citywide Transportation Impact Fee.

Sources

See Exhibit A.

XVIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Approved in 2014, Assembly Bill 52 (AB 52) added tribal cultural resources to the categories of resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

- 1) Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
 - b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.
- 2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of California Public Resources Code Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

A Phase I surface survey was conducted as part of the Environmental Impact Report prepared for Tract 681. No evidence of cultural materials was noted on the property. Impacts to tribal cultural resources are not expected.

As noted in Section V. Cultural Resources, the project is located in an area historically occupied by the Obispeño Chumash. In accordance with Assembly Bill 52 (AB52), a request for consultation was sent to four tribal groups that have requested to be notified of projects. No comments or consultation requests were received from the organizations.

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Discussion

- (a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

- (a-i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

As noted in Section V. Cultural Resources, no known archaeological resources are present on the project site. No requests to consult regarding Tribal Cultural Resources were received from the tribal groups. Therefore, the impact is *less than significant*.

- (a-ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Archeological studies done within a one-mile radius of the confirms the absence of known archaeological sites near the study area.

In the unlikely event resources are uncovered during grading activities, implementation of LUO Section 22.10.040 (Archaeological Resources) would be required, which states:

In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply:

A. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

B. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

There are no known tribal cultural resources within the project area. Therefore, impacts are expected to be *less than significant*.

Conclusion

No significant impacts on tribal cultural resources would occur. In the event of an unanticipated discovery of tribal resources during earth-moving activities, compliance with the LUO would ensure potential impacts would be reduced to less than significant.

Mitigation

No mitigation measures beyond those required by ordinance are required.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project is located in an area of residential suburban development. The parcel is already developed with a single family residence and there are residences surrounding the site. Gas lines, sewer laterals and public utility easements are available either adjacent to or on the site which will not require significant site disturbance to provide services to the newly created parcel.

Discussion

- (a) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Future development on Parcel 2 would require an extension of the water and wastewater systems in the area. The project falls under the Afuera de Chorro Mutual Water Company jurisdiction. No

Initial Study – Environmental Checklist

significant impacts are anticipated with the connection to the water purveyor, or with the establishment of a new/expanded septic system.

- (b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The project proposes to obtain its water needs from a community system (Afuera de Chorro Water Company). The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Per planning area standards contained in the San Luis Obispo Area Plan, lots in Tract 681 can be further subdivided equating to 17 additional parcels.

Based on this potential cumulative impact, a groundwater evaluation was prepared (Charles Katherman, August, 2006) and reviewed by Hyrdo-Geo Consultants, Inc. (November 2006). Based on available information, the proposed water source was deemed to be adequate to serve the potential buildout of this subdivision. Since the water source is located in an area of fractured rock, the report recommended water conservation measures to ensure that if Tract 681 is built out, adequate water supply will be available to service all of the new parcels.

- (c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

A geological study done on the site shows that the extension of the existing septic system would work to serve future development on Parcel 2. The study recommends that 2,000 square feet of additional line be added to the existing system to support the future waste produced by the site.

- (d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

The project is a two-lot parcel map which would result in a maximum of one additional primary residence and two guesthouses. The solid waste created by this project would be comparable with other low-density residential projects in the area and not considered significant.

- (e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The project would be served by the local solid waste management company which encourages recycling of green waste, and other recyclable materials.

Conclusion

The site is surrounded by residential development which is already being served by existing water, sewer and other utilities. Providing these services will not require a substantial amount of site disturbance and impacts are considered less than significant.

Mitigation

No mitigation measures are considered necessary.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The proposed project site is not located within a high fire hazard severity zone and has an average annual windspeed of approximately 7.0 to 8.1 miles per hour (Weather Spark 2018). Existing conditions that may exacerbate fire risk include the gently to moderately sloping topography in some areas, the surrounding plots containing mostly agriculture, and the moderate average windspeed.

The County of San Luis Obispo Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger.

The California Fire Code provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for emergency vehicle access, water supply, fire protection systems, and the use of fire-resistant building materials.

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Discussion

- (a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

The project would not conflict with any regional emergency response or evacuation plan because the project would be located on an existing parcel and would not alter or prohibit access to the local circulation system. Therefore, impacts would be *less than significant*.

- (b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

The plans propose Sequoia Drive, an existing road, to provide direct access to the two parcels. The road must meet CalFire requirements so emergency vehicles have access to the site in case of an emergency. The addition of any new structures increases the risk of wildfire. All future buildings must be built up to code, mitigating the fire risk to a less than significant impact.

- (c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Existing local roads will be used for access to the site. Any new buildings would be built to California Building Code standards and would not exacerbate fire risk. Fire-related impacts due to installation of new infrastructure would be less than significant.

- (d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The site is gently to moderately sloping, so downstream flooding or landslide risk is considered less than significant.

Conclusion

The site is located in a low-density, residential suburban area. The area doesn't contain significant slopes or vegetation that would increase the risk of wildfire.

Mitigation

No mitigation measures are considered necessary.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Implementation of the mitigation measures discussed in the Biological Resources section of this document will reduce the project's impacts to a level of insignificance.

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- (b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Implementation of the mitigation measures discussed under the Air Quality and Transportation sections will reduce impacts to a level of insignificance. In addition, ordinance standards for geology, recreation and public services were adopted to address cumulative impacts.

- (c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Conclusion

Implementation of the proposed mitigation measures and adherence to adopted ordinance standards will reduce the impacts of this project to a level of insignificance.

Mitigation

No mitigation measures are considered necessary.

Sources

See Exhibit A.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning Department has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Services	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input checked="" type="checkbox"/>	County Airport Manager	None
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Wildlife	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Services District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>City of San Luis Obispo</u>	None
<input checked="" type="checkbox"/>	Other <u>Parks Division</u>	In file

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Design Plan
<input checked="" type="checkbox"/> <u>County Documents</u>	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input checked="" type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input type="checkbox"/> Circulation Study
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<input checked="" type="checkbox"/> <u>Other Documents</u>
<input type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook
<input checked="" type="checkbox"/> Conservation & Open Space Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Economic Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Archaeological Resources Map (CONFIDENTIAL)
<input checked="" type="checkbox"/> Parks & Recreation Element/Project List	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)	<input checked="" type="checkbox"/> CA Natural Species Diversity Database
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Public Facilities Fee Ordinance	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> SLO Airport Land Use Plan	<input type="checkbox"/> Other
<input type="checkbox"/> Energy Wise Plan	
<input checked="" type="checkbox"/> SLO Planning Area	

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In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

Biological Resources Assessment, Althouse and Meade, Inc., September 11, 2019, revised November 19, 2019

Final Environmental Impact Report for Tract 681 and 682, Priest, Richmond, Rossi, Montgomery, 1979

Updated Ground Water Evaluation, Charles E. Katherman, August 2006

Assessment of August 2006, Katherman Report, Hydro-Geo Consultants, Inc., November 2006

Septic System Design Report, GeoSolutions, Inc.

Drilling Log, Geosolutions, Inc., May 14, 1998

Technical Advisory on Evaluating Transportation Impacts in CEQA; California Office of Planning & Research, December 2018)

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Exhibit B - Mitigation Summary

The applicant has agreed to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property

Air Quality

- AQ-1. Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to significantly reduce fugitive dust emissions, to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans:
- a. Reduce the amount of the disturbed area where possible;
 - b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions: <http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>
 - c. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
 - e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
 - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
 - g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
 - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

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- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. To prevent 'track out', install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. 'Track-Out' is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. The 'track-out prevention device' can be any device or combination of devices that is effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM10 mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2. **At the time of application for construction permits, the following shall be added to the construction plans:** Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.

AQ-3. **Prior to any site disturbance**, the applicant shall have a geologic evaluation completed to determine if naturally occurring asbestos (NOA) is present within the area of disturbance. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is present, the applicant shall comply with all requirements of the Air Toxics Control Measure.

AQ-4. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans, and installed as approved by the County.

Biological Resources

BIO-1. **Avoidance.** Any future development on the proposed parcels shall be designed to avoid direct impacts to Cambria Morning Glory. The avoidance areas shall include the mapped location of the plants plus a 10-foot protective buffer. The location of the plants and the 10-foot protective buffer

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shall be indicated as a Sensitive Resource Area (SRA) and shall be included on the additional map sheet for the parcel map and all subdivision improvement plans and construction permit plans.

- BIO-2. If avoidance is not feasible, the applicant shall submit a restoration plan, prepared by a qualified biologist, to be reviewed and approved by the County Planning and Building Department, **prior to issuance of construction permits**. This plan shall include, at a minimum, the following:
- Identification of the type and number of plants to be removed.
 - Identification of locations, amounts, size and types of plants to be replanted, as well as any other necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful reestablishment.
 - Provide for a native seed collection effort prior to any ground disturbing activities. Collection of native seed shall be propagated by a County approved biologist. Plant shall include, but not be limited to California Native Plant Society (CNPS) listed plant species that may be affected.
 - Quantification of the impact based on construction drawings and quantification of mitigation areas such that the replacement criteria are met (2:1 acreage ratio or 3:1 for individual plants).
 - A program schedule and success criteria for a minimum five-year monitoring and reporting program that is structured to ensure the success of the restoration plan.
 - Identification of access and methods of materials transport to the restoration area, including personnel, vehicles, tools, plants, irrigation equipment, water and all other similar supplies. Access shall not result in new or additional impacts to habitat and special status species.
 - The restoration plan shall incorporate an invasive species control program.
- BIO-3. **Protection. At the time of application for construction permits**, the applicant shall show the location of the SRA and 10-foot buffer area on the construction plans. If work will be occurring within 50 feet of the SRA, construction plans shall also show the location and type of protective fencing to be used to delineate the SRA. **Prior to any site disturbance**, protective fencing shall be installed to delineate the SRA during construction activities and shall be maintained in good condition throughout construction to ensure remaining work activities do not pose a risk for impacting the plants. Signage stating "Sensitive Resource Area: Keep Out" shall be placed along the fencing. Entry into the protected area shall be prohibited during construction.
- BIO-4. **At the time of application for construction permits**, the applicant shall show all development located a minimum of 50-feet from the creek.
- BIO-5. **Prior to any site disturbance**, the applicant shall provide construction fencing at the edge of the riparian vegetation on the project site. This area will be marked by orange construction fencing which shall be installed **prior to any site disturbance** and remain in place throughout the grading and construction phases.
- BIO-6. The applicant shall avoid removal of vegetation or any other ground disturbance between February 1st and September 1st to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site for breeding and/or nesting birds **no more than two weeks prior to**

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construction or site disturbance activities. Results of the surveys shall be submitted to the County Department of Planning and Building for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures, including recommended buffers, shall be developed and submitted for review and approval by the County, in consultation with the California Department of Fish and Wildlife (CDFW) and the applicant shall adhere to these measures during all construction activities on the site.

Traffic

- T-1. In order to mitigate offsite traffic impacts at various locations, the applicant shall pay pertinent City transportation impact fees. These fees shall be paid **at the time of building permit issuance** in accordance with AB1600 but could be paid prior to map recordation consistent with County Policies. The fees include Citywide Transportation Impact Fee.

Date: April 3, 2020

Revised July 29, 2020

**DEVELOPER'S STATEMENT FOR
Hanover Parcel Map
SUB2019-00051 / ED19-332**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

Air Quality

AQ-1. Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to significantly reduce fugitive dust emissions, to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans:

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions:
<http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>
- c. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation

and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;

- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. To prevent 'track out', install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. 'Track-Out' is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. The 'track-out prevention device' can be any device or combination of devices that is effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM10 mitigation measures required should be shown on grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2. **At the time of application for construction permits, the following shall be added to the construction plans:** Effective February 25, 2000, the APCD prohibited

developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.

- AQ-3. **Prior to any site disturbance**, the applicant shall have a geologic evaluation completed to determine if naturally occurring asbestos (NOA) is present within the area of disturbance. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is present, the applicant shall comply with all requirements of the Air Toxics Control Measure.
- AQ-4. Only the following types of wood burning devices shall be allowed (based on District Rule 504): a) EPA-Certified Phase II wood burning devices; b) catalytic wood burning devices emitting less than or equal to 4.1 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; c) non catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter, as verified by a nationally-recognized testing lab; d) pellet-fueled woodheaters; or e) dedicated gas-fired fireplaces. **Prior to construction permit issuance**, such devices shall be shown on all applicable plans, and installed as approved by the County.

Monitoring (AQ-1-AQ-4): The Planning and Building Department, in consultation with the Air Pollution Control District (APCD), shall verify compliance.

Biological Resources

- BIO-1. **Avoidance.** Any future development on the proposed parcels shall be designed to avoid direct impacts to Cambria Morning Glory. The avoidance areas shall include the mapped location of the plants plus a 10-foot protective buffer. The location of the plants and the 10-foot protective buffer shall be indicated as a Sensitive Resource Area (SRA) and shall be included on the additional map sheet for the parcel map and all subdivision improvement plans and construction permit plans.
- BIO-2. If avoidance is not feasible, the applicant shall submit a restoration plan, prepared by a qualified biologist, to be reviewed and approved by the County Planning and Building Department, **prior to issuance of construction permits**. This plan shall include, at a minimum, the following:
- Identification of the type and number of plants to be removed.
 - Identification of locations, amounts, size and types of plants to be replanted, as well as any other necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful reestablishment.
 - Provide for a native seed collection effort prior to any ground disturbing activities. Collection of native seed shall be propagated by a County approved biologist. Plant shall include, but not be limited to California Native Plant Society (CNPS) listed plant species that may be affected.

- Quantification of the impact based on construction drawings and quantification of mitigation areas such that the replacement criteria are met (2:1 acreage ratio or 3:1 for individual plants).
- A program schedule and success criteria for a minimum five-year monitoring and reporting program that is structured to ensure the success of the restoration plan.
- Identification of access and methods of materials transport to the restoration area, including personnel, vehicles, tools, plants, irrigation equipment, water and all other similar supplies. Access shall not result in new or additional impacts to habitat and special status species.
- The restoration plan shall incorporate an invasive species control program.

BIO-3. **Protection. At the time of application for construction permits**, the applicant shall show the location of the SRA and 10-foot buffer area on the construction plans. If work will be occurring within 50 feet of the SRA, construction plans shall also show the location and type of protective fencing to be used to delineate the SRA. **Prior to any site disturbance**, protective fencing shall be installed to delineate the SRA during construction activities and shall be maintained in good condition throughout construction to ensure remaining work activities do not pose a risk for impacting the plants. Signage stating "Sensitive Resource Area: Keep Out" shall be placed along the fencing. Entry into the protected area shall be prohibited during construction.

BIO-4. **At the time of application for construction permits**, the applicant shall show all development located a minimum of 50-feet from the creek.

BIO-5. **Prior to any site disturbance**, the applicant shall provide construction fencing at the edge of the riparian vegetation on the project site. This area will be marked by orange construction fencing which shall be installed **prior to any site disturbance** and remain in place throughout the grading and construction phases.

BIO-6. The applicant shall avoid removal of vegetation or any other ground disturbance between February 1st and September 1st to avoid impacts to native breeding and nesting birds. If construction activities during this period cannot be avoided, a county-approved biologist shall survey all breeding and nesting habitat on the site for breeding and/or nesting birds **no more than two weeks prior to construction or site disturbance activities**. Results of the surveys shall be submitted to the County Department of Planning and Building for concurrence with the report. If nesting and/or breeding birds are found, appropriate mitigation measures, including recommended buffers, shall be developed and submitted for review and approval by the County, in consultation with the California Department of Fish and Wildlife (CDFW) and the applicant shall adhere to these measures during all construction activities on the site.

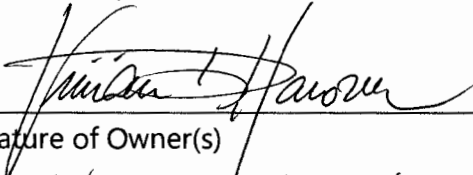
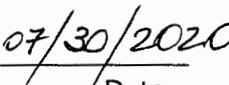
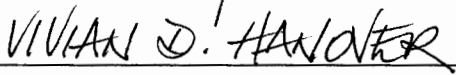
<p>Monitoring (BIO-1-BIO-6): The Planning and Building Department shall verify compliance.</p>

Transportation and Circulation

- T-1. In order to mitigate offsite traffic impacts at various locations, the applicant shall pay pertinent City transportation impact fees. These fees shall be paid **at the time of building permit issuance** in accordance with AB1600 but could be paid prior to map recordation consistent with County Policies. The fees include Citywide Transportation Impact Fee.

Monitoring: The Planning and Building Department and City of San Luis Obispo shall verify compliance.
--

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

	
_____ Signature of Owner(s)	_____ Date
	
_____ Name (Print)	



COUNTY OF SAN LUIS OBISPO
Department of Public Works
 John Diodati, Interim Director

RECOMMENDED CONDITIONS

Date: November 18, 2019
 To: Lacey Kenyon, Project Planner
 From: Edward M. Reading, County Surveyor
 David E. Grim, Development Services
 Subject: **SUB2019-00051 CO19-0001, Hanover Parcel Map, Sequoia Drive, San Luis Obispo, APN 076-532-035**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

- A. At the time the project referral was received by Public Works on November 18, 2019 the application acceptance date had not been established. The attached recommended conditions of approval are subject to change based on Ordinances and Policies in affect at the date of application acceptance.
- B. Recommend the following finding [per 21.050.045 (a-c)] be incorporated into Findings to ensure public improvements are constructed prior to recordation (or bonded for): *"In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within the time frame approved in the Subdivision Agreement and prior to issuance of a permit or other grant of approval for development on a parcel."*
- C. Project site may be located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement (MOA) approved by the Board on October 18, 2005. City transportation impact fees are applicable to this project.
- D. This may be a regulated project if it meets the applicability criteria for Stormwater Management. The applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form. If not subject to these requirements (the applicant is not proposing any improvements with this subdivision), the need for performance requirements and any storm water management facilities should be evaluated when this property is developed.
<https://www.slocounty.ca.gov/Departments/Public-Works/Services/Stormwater-Requirements-for-New-Construction.aspx>
- E. If the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit, which may require preparation of a project Stormwater Control Plan even though it is located outside a Stormwater Management Area.

Recommended Public Works Conditions of Approval

Access and Improvements

1. Road and/or streets to be constructed to the following standards (unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards, or certified by the Engineer of Work that the existing improvements meet County Standards):
 - a. Sequoia Drive shall be widened to complete the project frontage of an A-1 rural road section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. All driveway approaches along Sequoia Drive shall be constructed in accordance with County Public Improvement Standard B-1a and A-5a.
2. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative.
3. The applicant shall provide the county with an Engineer of Work Agreement retaining a registered civil engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works. The civil engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.

Offers, Easements and Restrictions

4. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
5. The applicant shall show the following restrictions by certificate on the map or record by separate document:
 - a. If drainage basins are required, then the basin areas shall be indicated as a building restriction on the map.
6. Easements shown to be quitclaimed on the tentative map shall be done so prior to filing the final map.
7. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be reserved as a drainage easement in favor of the owners and assigns of Lots 1 and 2.

Improvement Plans

8. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a registered civil engineer and submitted to the Department of Public Works and the County Health Department for approval. The plans are to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Utility plan.
 1. Water plan to be approved jointly with County Environmental Health. Water facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.

2. Sewer plan to be approved jointly with County Environmental Health. Sewer facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
3. New electric power, telephone and cable television service conduits and appurtenances shall be constructed and service conduits stubbed to each new parcel.
4. New gas distribution mains and appurtenances shall be installed along the entire project frontage(s) and gas service laterals stubbed to each new parcel.
5. All existing overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [21.03.10(h)] and the poles removed.
- d. Sedimentation and erosion control plan for subdivision related improvements.
- e. Stormwater control plan for subdivision related improvements (if subject to MS-4 requirements).
- f. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
- g. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
- h. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
- i. Trail plan, if required, to be approved jointly with County Parks.
- j. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 1. Submit a copy of all such permits to the Department of Public Works; or
 2. Document that the regulatory agencies have determined that said permit is not required.

Subdivision Grading

9. Grading not associated with required public improvements shall be subject to the Subdivision Grading Process per Section 2.1.3 of the latest Public Improvement Standards. The Public Works Department will act as a deputy to the Building Official for all on-site grading not associated with Public Improvements.

Drainage & Flood Control

10. Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval. If calculations so indicate, drainage must be retained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.
11. All project related drainage shall be designed and constructed in accordance with the recommendations of the San Luis Creek Watershed Drainage Design Manual.

Stormwater Pollution Prevention Plan (SWPPP)

12. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required

elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Stormwater Control Plan (SWCP)

13. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form.
- a. The applicant must submit a SWCP for all regulated projects subject to Performance Requirement #2 and above. The SWCP must be prepared by an appropriately licensed professional and submitted to the County for review and approval. Applicants must utilize the County's latest SWCP template.
 - b. If post-construction stormwater control measures (SCMs) are proposed, the applicant must submit a draft Stormwater Operations and Maintenance Plan for review by the County. The plan must consist of the following Planning & Building Department forms;
 1. Structural Control Measure Description (Exhibit B)
 2. Stormwater System Contact Information
 3. Stormwater System Plans and Manuals
 - c. If applicable, following approval by the County, the applicant shall record with the County Clerk-Recorder the Stormwater Operation and Maintenance Plan and an agreement or provisions in the CCRs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.
14. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.

Fees

15. **Prior to the issuance of construction permits:** The project is located within the City of San Luis Obispo Sphere of Influence per Memorandum of Agreement approved by the Board on October 18, 2005. The applicant shall submit evidence to the County that all City impact fees applicable to this project have been paid, or that none are required.

Additional Map Sheet

16. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. Notification that the owner(s) of all lots are responsible for on-going maintenance of drainage and flood control improvements including basins, pipes, manholes, inlets, headwalls, sediment control devices, fencing, landscaping, etc. in a viable condition on a continuing basis into perpetuity, and indicating the proposed maintenance mechanism. The improved areas shall be indicated as a building restriction.
 - b. Notification that the owner(s) of all lots are responsible for on-going maintenance of stormwater quality improvements including basins, water quality control devices, landscaping, etc. in a viable condition on a continuing basis into perpetuity and indicating the proposed maintenance mechanism.

- c. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or project related roads to be accepted for County maintenance shall require an encroachment permit.
- d. The applicant shall be responsible for paying to the City of San Luis Obispo the transportation impact fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued.
- e. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan Application.
- f. Notification to prospective buyers that stormwater treatment facilities shall be maintained and inspected in perpetuity as stipulated in the approved Stormwater Operations and Maintenance Plan, as recorded with the County Clerk-Recorder's Office.
- g. The property owner shall be responsible for the operation and maintenance of public road frontage landscaping and driveway sight distance in a viable condition and on a continuing basis into perpetuity.

Miscellaneous

- 17. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
- 18. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 19. All timeframes on approved tentative maps for filing of parcel or final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act.

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Status	Item	Comments
✓	Preliminary Title Report. Preliminary title report concerning the property which is not more than six months old showing current property owners.	
✓	(1) Record Data. The boundary lines of the original parcel, with dimensions shown in feet, based on survey data or information of record, and area of the property shown in square feet or acres to the nearest tenth.	
✓	(2) Property Description. A description of the property as well as the assessor's parcel number(s) for the property.	
✓	(3) Legend and Owner Information. A north arrow and scale, the name and address of the record owner(s), and the name and address of the subdivider.	
✓	(4) Vicinity Map. A vicinity map on which shall be shown the general area including adjacent property, subdivisions and roads	
✓	(5) Existing Structures. All existing structures, wells, septic tanks, driveways and other improvements located on the original parcel shall be accurately located, identified and drawn to scale. The distance between structures, the distance from existing structures to the boundary lines of the new parcel on which the structures are to be located, and the height of each structure shall be shown. Such distances shall be established by a registered civil engineer's or licensed land surveyor's survey when deemed necessary by the planning department.	
✓	(6) Contour Lines. Contour lines of the property shall be shown at intervals set forth: >40 Ac, 40ft; 20-40 AC, 20 ft; 10-20 AC, 10 ft; <10 AC w/ 0-12% slope, 2 ft; >12% slope, 5 ft	
✓	(7) Drainage. The approximate location of all watercourses, drainage channels and existing drainage structures.	
✓	(8) Landforms. The approximate location of other topographic or manmade features, such as bluff tops and ponds.	
X	(9) Lakes and Ocean. Approximate high-water lines in lakes or reservoirs, and the mean high tide line of the ocean.	
X	(10) Flood Hazard. The location of all areas subject to inundation or stormwater overflow.	
✓	(11) Proposed Parcel Lines. The proposed division lines with dimensions in feet and the gross and net area of each parcel created by such division in square feet or acres to the nearest tenth. Also, each parcel created shall be designated on the tentative map by number.	
✓	(12) Designated Building Sites. Any designated building sites proposed by the applicant to minimize grading, tree removal, and other potential adverse impacts, or any areas proposed for exclusion from construction activities, shall be shown on the tentative map for proposed parcels greater than ten thousand square feet. Also, any details on proposed building setback lines and widths of side yards shall be shown on the tentative map.	
✓	(13) Streets. The locations, names, county road numbers and widths of all adjoining and contiguous highways, streets and ways.	
✓	(14) Easements. The locations, purpose and width of all existing and proposed easements, streets (with proposed names) and appurtenant utilities.	
✓	(15) Coastal Zone. For tentative maps for properties located within the coastal zone between the sea and the first public road paralleling the sea, show the location of the public access ways nearest to the subject site	



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 6/21/2019
TO: 3rd District Legislative Assistant, APCD, Airport (SLO), CAL FIRE / County Fire, Env Health, HEAL SLO, Parks, Public Works, AT&T, Charter (Spectrum) Communications, PG&E, SoCal Gas, City of San Luis Obispo
FROM: Lacey Minnick / Kenyon (805-788-2414 or lkenyon@co.slo.ca.us)
PROJECT NUMBER & NAME: SUB2019-00051 CO 19-0001 HANOVER
PROJECT DESCRIPTION: Proposed Parcel Map to subdivide one parcel into two parcels of at least 2 acres net; located at 3812 Sequoia Drive in San Luis Obispo.
APN(s): 076-532-035

Return this letter with your comments attached no later than 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART I: IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II: ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
☐ NO (Please go on to PART III.)

PART III: INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Please see attached.
7.9.19 Ke Ghiglia x 5551
Date Name Phone



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
PUBLIC HEALTH DEPARTMENT

Michael Hill *Health Agency Director*

Penny Borenstein, MD, MPH *Health Officer/Public Health Director*

July 9, 2019

To: Lacey Kenyon, Department of Planning and Building

From: Environmental Health
Kealoha Ghiglia

A handwritten signature in blue ink, appearing to be "Kgh", is written over the name "Kealoha Ghiglia".

RE: CO 19-0001 Hanover Parcel Map

EH records indicate a well on the subject parcel. The well is tied to the APN number of the subject parcel and it is possible that after the well was drilled, the parcel was split. The well may no longer be on the subject parcel and/or the well may have been destroyed. Prior to final map recordation, confirm whether or not the well is on the subject parcel.

In addition, prior to final map recordation, please provide a site utility map showing all wells on the subject parcel and adjacent parcels. There are several community wells in the area, and potentially private wells.

Prior to map recordation, please provide proposed septic system locations for both new parcels. Individual sewage disposal systems must be located on the parcel to which they belong. Call out distances from septic and leach fields to any wells, creeks, domestic water lines, or other facilities that require setbacks.

Environmental Health Services

2156 Sierra Way, Suite B | San Luis Obispo, CA 93401 | (P) 805-781-5544 | (F) 805-781-4211
www.slopublichealth.org/ehs



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
PUBLIC HEALTH DEPARTMENT

Michael Hill Health Agency Director

Penny Borenstein, MD, MPH Health Officer/Public Health Director

June 6, 2019

Tim Romano, PE, PLS
ROMANO Design
3505 Sequoia Drive
San Luis Obispo, CA 93401

Re: Tentative Parcel Map CO 19-0001 - HANOVER
APN: 076-532-035

Water Supply

This office is in receipt of a preliminary evidence of water in the form of a Will Serve extension letter from the Afuera de Chorro Mutual Water Co. dated May 28, 2019 to provide water to the above referenced project.

Be advised that a final "will serve" letter from the water company shall be obtained and submitted to this office for review and approval stating there are operable water facilities immediately available for connection to each of the parcels created prior to recordation of the final map. Water main extensions and related facilities may be bonded for, subject to the approval of County Public Works and Environmental Health Services. This bond must be reviewed and approved by County Public Works prior to recordation of the map.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. This office is responsible for certifying that field investigations show that ground slopes and soil conditions will allow for satisfactory disposal by on-site septic systems for feasibility purposes. Soil testing, to include three percolation tests and one deep soil boring, shall be performed prior to recordation of the final map. Soils data from Tract 681 may be acceptable. Be advised that all septic system leach fields (and expansion areas) shall be installed at a minimum of 100 feet away from any domestic water wells or watercourse, 200 feet away from reservoir, shall be located in areas free from bedrock, and shall not be placed on natural slopes that exceed 30%. Should a wastewater disposal system be installed in an area with greater than 20% slope it must be designed and the installation certified by a registered civil engineer.

Tentative Parcel Map CO 19-0001 is approved for Health Agency subdivision map processing.

LESLIE A TERRY, R.E.H.S.
Supervising Environmental Health Specialist

c: Afuera de Chorro Mutual Water Co.

Environmental Health Services

2156 Sierra Way, Suite B | San Luis Obispo, CA 93401 | (P) 805-781-5544 | (F) 805-781-4211
www.slopublichealth.org/ehs



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, DIRECTOR

THIS IS A NEW PROJECT REFERRAL

REVISED ON 10/30/19

DATE: 6/21/2019
TO: 3rd District Legislative Assistant, APCD, Airport (SLO), CAL FIRE / County Fire, Env Health, HEAL SLO, Parks, Public Works, AT&T, Charter (Spectrum) Communications, PG&E, SoCal Gas, City of San Luis Obispo
FROM: Lacey Minnick / Kenyon (805-788-2414 or lkenyon@co.slo.ca.us)

PROJECT NUMBER & NAME: SUB2019-00051 CO 19-0001 HANOVER

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APN(s): 076-532-035

Return this letter with your comments attached no later than 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART I: IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☒ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II: ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☒ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
☐ NO (Please go on to PART III.)

PART III: INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

SEE FIRE SAFETY PLAN

12-5-19
Date

DELL WELLS
Name

805-893-3427
Phone



CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805.543.4244 • Fax: 805.543.4248
www.calfireslo.org

Scott M. Jalbert, Unit Chief

December 5, 2019

County of San Luis Obispo
Department of Planning and Building
San Luis Obispo, CA 93408

Lacey Minnick,

Subject: SUB2019-00051 CO 19-0001 Hanover- Property located at 3812 Sequoia Drive,
San Luis Obispo.

I have reviewed the parcel map plans for the proposed parcel spit. This project is located approximately 6 minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project is in a State Responsibility Area. This project is required to comply with all fire safety rules and regulations including the California Fire Code, Public Resources Code and any standards referenced therein.

The following conditions shall apply to this project:

General Requirements

All fire hydrants/ Residential Fire Connections and required access roads shall be installed prior to structural construction.

Road Grades

The grade for all roads, streets, private lands and driveways shall not exceed 16 percent. Design criteria shall be in accordance with the County of San Luis Obispo Department of Public Works Public Improvement Standards. Roads 12% - 16% shall be a non-skid asphalt or concrete surface as specified in the County standards, specifications and drawings. All roads shall:

- Be able to support Fire Apparatus
- Provide a vertical clearance of 13 feet 6 inches
- Maintain a 2-foot fuel reduction zone on both sides

Access Road Standards

All road design criteria will meet the County of San Luis Obispo Department of Public Works Public Improvement Standards. Standard construction drawing exhibits can be located on line at: <http://www.slocounty.ca.gov/PW/DevServ/PublicImprovementStandards.htm>

Residential Access Roads – Serving more than one legal parcel

- The road must be named and properly signed per San Luis Obispo County Planning and Building.
- The access road must be a minimum of 24 feet wide, allowing for two-way traffic. It shall be constructed to County of San Luis Obispo standards, two (2) 10-foot driving lanes and two (2) 2-foot shoulders.
- Parking is only allowed where an additional 8 feet of width is added to each side of the road to accommodate parking. "No Parking – Fire Lane" signs may be required.

Driveway Standards

Driveway specifications shall be provided and maintained when serving no more than one legal parcel or lot with no more than three (3) dwelling units and any number of accessory buildings.

- Turnarounds must be provided if driveway exceeds 300 feet and shall be within 50 feet of the building.
- Driveway width will be no less than 12 feet wide for driveways up to 200 feet long and 14 feet wide for over 400 feet long.

A turnaround must be provided if the dead-end road exceeds 150 feet.

Gate Requirements

All gates for residential and commercial use shall meet Section 503.5 of the 2016 California Fire Code requirements for access. KNOX switches or padlocks are the only approved method of emergency access. The use of a red "Fire Dept" access box is not allowed for either residential or commercial use due to security concerns and difficulty in maintaining current data.

The following requirements must be met:

1. All gates shall be set back from the road a minimum of 30 feet from the edge of the roadway. The gate shall open to allow a vehicle to stop without obstructing traffic on the public road. Local ordinance, certain conditions or San Luis Obispo County Public Works may require a greater setback.
2. All gates shall be 2 feet wider on each side of the road / driveway.
3. All electric gates shall automatically open with no special knowledge upon exiting.
4. All electric gates shall have a KNOX switch for emergency Fire Department access.
5. All electric gates shall have an approved means of emergency operation at all times, either using solar power, battery back-up or fail to the open position upon a power outage.
6. Security gates and their emergency operation shall be maintained operational at all times.

Community Water System

This project water supply for fire protection will be provided by a community water system.

Subdivisions will require community water systems that comply with CFC Appendix C. For additional information, relative to this requirement, contact the San Luis Obispo County Planning and Building Department. A Fire Protection Engineer will be consulted to verify water based fire protection needs.

One and two family dwellings on a community water system shall meet the California Fire Code Appendix B fire-flow requirements and Appendix C, "Fire hydrant locations and distribution". A signed will-serve letter from the water purveyor must be submitted with your fire safety plan application, and received prior to final inspection of the project.

Community Water System Verification Form will be submitted to CAL FIRE for review.

Building construction type and square footage will determine fire flow requirements. The minimum allowable fire flow will be 1000 g.p.m. for 1 hours if structure is less than 3,600 square feet (non-sprinkler) . For determining fire flow requirements on any structure over 3,600 square feet refer to Appendix B, table B105.1 of the California Fire Code.

Residential

For purposes of this section, residential refers to one and two family dwellings.

Addressing

New and existing buildings shall have approved address numbers, building numbers or building identification placed in a position that is clearly legible and easily visible from the street or road fronting the property. Additional locations of identification may be required by the Fire Code official to facilitate emergency response. Street names and address numbers are assigned by the County of San Luis Obispo Planning and Building department.

1. Address numbers shall be Arabic numerals or alphabet letters, contrast with their background and be a minimum width of 0.5 inch and height per occupancy type as follows:
 - a. Residential 6 inches
2. Address numbers at the driveway entrance shall be clearly visible from both directions. It is highly recommended that the numbers be reflectorized or lighted.
3. Address numbers shall be visible day and night. Trim trees, bushes and shrubs if foliage obstructs visibility.
4. When a building is not visible from the roadway or when required by the Fire Chief, additional numbers or addresses shall be installed on an elevated post or monument adjacent to roads or driveways leading to buildings.

Landscaping

CAL FIRE requires that landscaping selections do not readily transmit fire. Landscaping and vegetation shall be in accordance with San Luis Obispo County Planning and Building "New Landscaping Requirements"

http://www.slocounty.ca.gov/planning/New_Water_Requirements/New_Landscaping_Requirements.htm

Our website www.calfireslo.org has several links with recommended planning tools for landscape and fuel management plans.

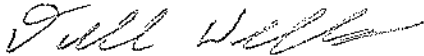
Future Building

Future building will require a Fire Safety Plan from CAL FIRE/ San Luis Obispo County Fire of any residential structures and will meet California Fire Code. A Fire Protection Engineer may be required to submit a technical report on both commercial and residential structures.

Final Inspection

This project shall require a final inspection by CAL FIRE/ San Luis Obispo County Fire to ensure conditions have been met. When the project is complete, contact fire prevention at 593-3490 and request a final inspection.

Sincerely,



Dell Wells

Fire Captain/ Inspector



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, DIRECTOR

RECEIVED

25 JUN 2019

PLANNING & BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 6/21/2019
TO: 3rd District Legislative Assistant, APCD, Airport (SLO), CAL FIRE / County Fire, Env Health, HEAL SLO, Parks, Public Works, AT&T, Charter (Spectrum) Communications, PG&E, SoCal Gas, City of San Luis Obispo
FROM: Lacey Minnick / Kenyon (805-788-2414 or lkenyon@co.slo.ca.us)

PROJECT NUMBER & NAME: SUB2019-00051 CO 19-0001 HANOVER

PROJECT DESCRIPTION: Proposed Parcel Map to subdivide one parcel into two parcels of at least 2 acres net; located at 3812 Sequoia Drive in San Luis Obispo.

APN(s): 076-532-035

Return this letter with your comments attached no later than 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART I: IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II: ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
☐ NO (Please go on to PART III.)

PART III: INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

6/25/19 Pay Dumbly fees 781-4189
 Date Name Phone



Air Pollution Control District San Luis Obispo County

Via Email

June 27, 2019

Lacey Kenyon
San Luis Obispo County Department of Planning & Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408
lkenyon@co.slo.ca.us

SUBJECT: APCD Comments Regarding the Hanover Subdivision - One Parcel Split
(SUB2019-00051, CO 19-0001)

Dear Ms. Kenyon:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project located at 3812 Sequoia Drive in San Luis Obispo. The proposed project includes a Parcel Map to subdivide one parcel into two parcels one 3.87 acres and the other 2.01 acres. The project is within 1,000 feet of sensitive receptors (residential dwellings) and within 1 mile of known serpentine deposits. Approximately 1.34-acres of the existing parcel is outside of the San Luis Obispo Urban Reserve Line (URL) and is zoned Agricultural. The remainder of the existing parcel is inside the URL and is zoned Residential Suburban. The proposed parcel split would create an additional parcel inside the URL. **Since the project would not create an additional parcel outside the URL, the project is consistent with the APCD's Clean Air Plan.** If residential development occurs on the parcel, the project will most likely be below the APCD's thresholds of significance for both construction and operational impacts identified in table 2-1 and table 3-2 in the [CEQA Air Quality Handbook](#) (April 2012).

The following are APCD comments that are pertinent to this project.

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the items contained in this letter that are highlighted by bold and underlined text.**

APCD Comments for Hanover Subdivision - One Parcel Split
June 27, 2019
Page 2 of 4

Naturally Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by the California Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain NOA. The APCD has identified areas throughout the county where NOA may be present ([NOA Map](#)). The following requirements apply because the project site is in a candidate area for NOA. **The applicant shall ensure that a geologic evaluation is conducted to determine if the area disturbed is or is not exempt from the CARB Asbestos Air Toxics Control Measure (Asbestos ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) regulation.**

- a. If the site is not exempt from the requirements of the regulation, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD; or
- b. If the site is exempt, an [exemption request](#) must be filed with the APCD.

More information on NOA can be found at slocleanair.org/rules-regulations/asbestos/noa.

Developmental Burning

APCD Rule 501 prohibits developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at 805-781-5912.

Dust Control Measures

This project is within 1,000 feet of residential dwellings. Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in close proximity to the proposed construction site. **Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402).**

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. **When drought conditions exist and water use is a concern, the contractor or builder should consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.** Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: [Products Available for Controlling Dust](#);
- c. All dirt stockpiled areas should be sprayed daily and covered with tarps or other dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;

APCD Comments for Hanover Subdivision - One Parcel Split
 June 27, 2019
 Page 3 of 4

- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code (CVC) Section 23114;
- j. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All PM₁₀ mitigation measures required should be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition (Contact Tim Fuhs at 805-781-5912).

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 hp or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.

The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the [CEQA Air Quality Handbook](#) (April 2012).

APCD Comments for Hanover Subdivision - One Parcel Split
June 27, 2019
Page 4 of 4

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generators; and
- Internal combustion engines.

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at 805-781-5912 for specific information regarding permitting requirements.

Residential Wood Combustion

Under APCD Rule 504, **only APCD approved wood burning devices can be installed in new dwelling units.** These devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

If you have any questions about approved wood burning devices, please contact the APCD Engineering and Compliance Division at 805-781-5912.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at (805) 781-5912.

Sincerely,



JACKIE MANSOOR
Air Quality Specialist

JNM/jjh

cc: Tim Romano, Agent
Tim Fuhs, APCD
Dora Drexler, APCD

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Community Development

919 Palm Street, San Luis Obispo, CA 93401-3249
805.781.7170
slocity.org

July 5, 2019

Lacey Kenyon
Department of Planning and Building
County of San Luis Obispo
976 Osos St., Rm. 300
San Luis Obispo, CA 93408

SUBJECT: Proposed two-lot parcel map to divide one parcel into two parcels of at least 2.0 acres net at 3812 Sequoia Drive (SUB 2019-00051)

The 2016 City/County Memorandum of Understanding states that the County and City should work cooperatively to plan for future uses and public services and facilities to improve and maintain area circulation, connections, and to preserve agricultural land and open space. Thank you for the opportunity to provide input on the above referenced entitlement application.

Community Development Department Comments

Since the proposed subdivision is consistent with the existing land use designation, does not require a General Plan Amendment or Rezone, and is consistent with surrounding lot sizes and development, Community Development Department staff has no comments at this time.

Public Works Department Comments

Conditions of Approval

Should the County consider the application to divide the parcel, the City requests the following conditions be added to the project:

1. In order to mitigate offsite traffic impacts at various locations, the subdivider/developer shall pay pertinent City transportation Impact fees. These fees shall be paid at the time of building permit issuance in accordance with AB1600 but could be paid prior to map recordation consistent with County policies. These fees should include:

- a. Citywide Transportation Impact Fee

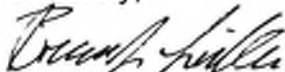
The City requests to continue to be notified/consulted on further project review such as any significant project modifications, environmental review, and upcoming hearings.

City of San Luis Obispo referral response
Hanover Parcel Map (SUB 2019-00051)

Please feel free to contact me if you have any questions or would like to arrange a meeting. I can be contacted by phone at 805-781-7166, or by e-mail:
bleveille@slocity.org

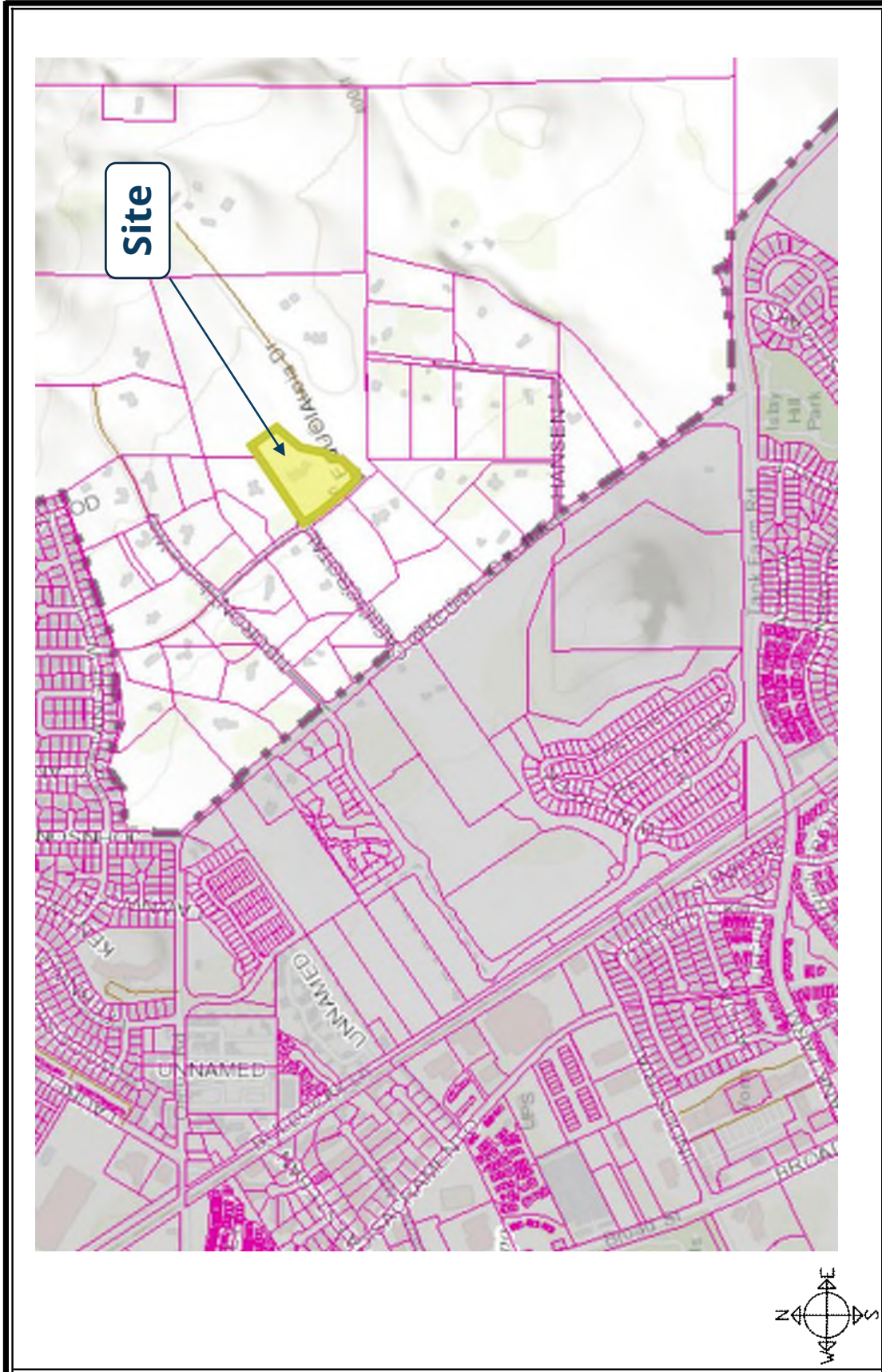
Thank you for considering City Community Development Department comments on the proposed project.

Sincerely,



Brian Leveille, AICP
Senior Planner
Long Range Planning
City of San Luis Obispo, Community Development Department

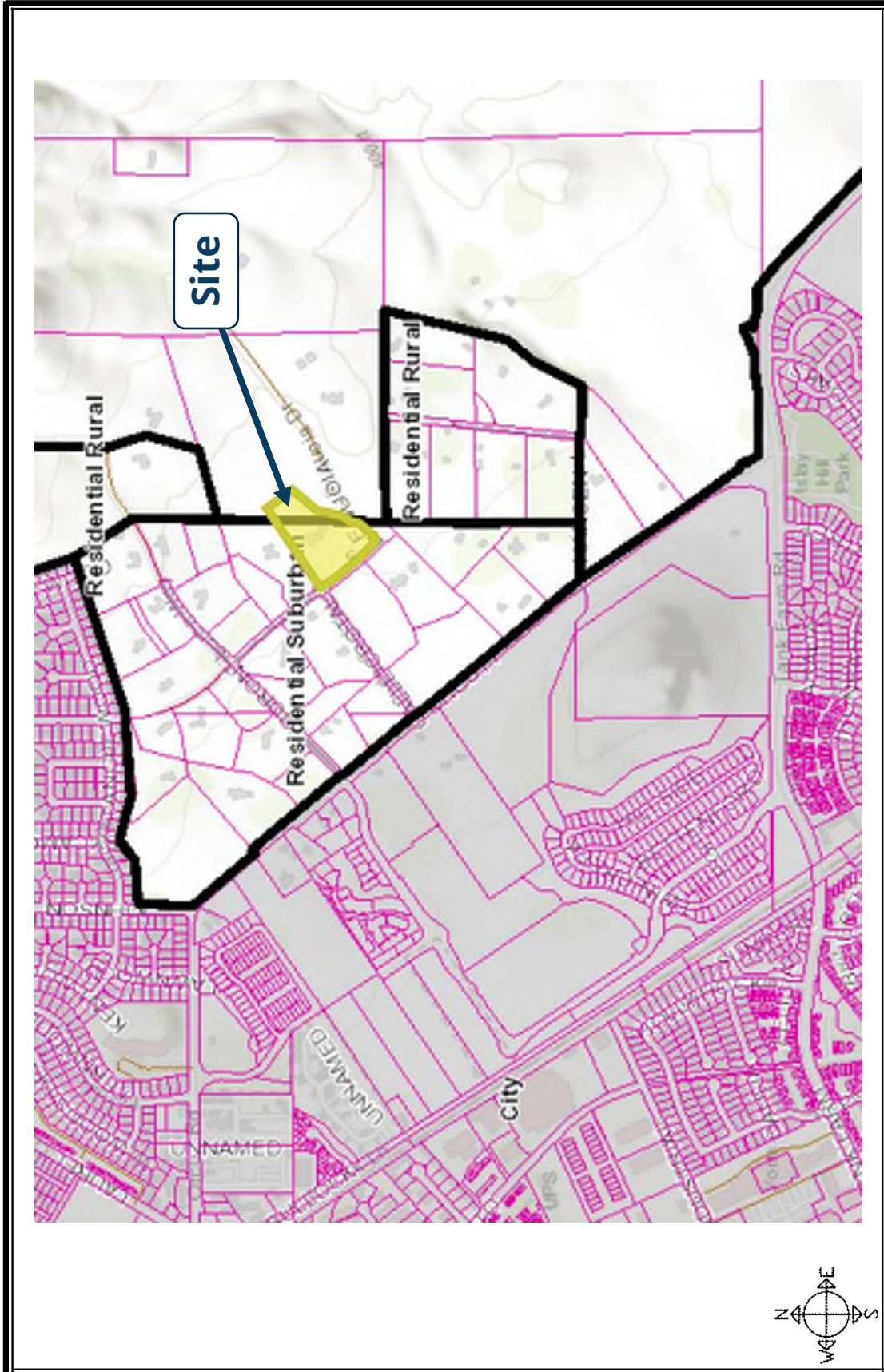
CC: San Luis Obispo City Council
Michael Codron, Community Development Director
Tyler Corey, Principal Planner
Jake Hudson, Interim Deputy Director
Luke Schwartz, Interim Transportation Manager



Vicinity Map
SUB2019-00051/Hanover

COUNTY OF SAN LUIS OBISPO

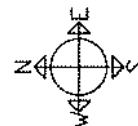
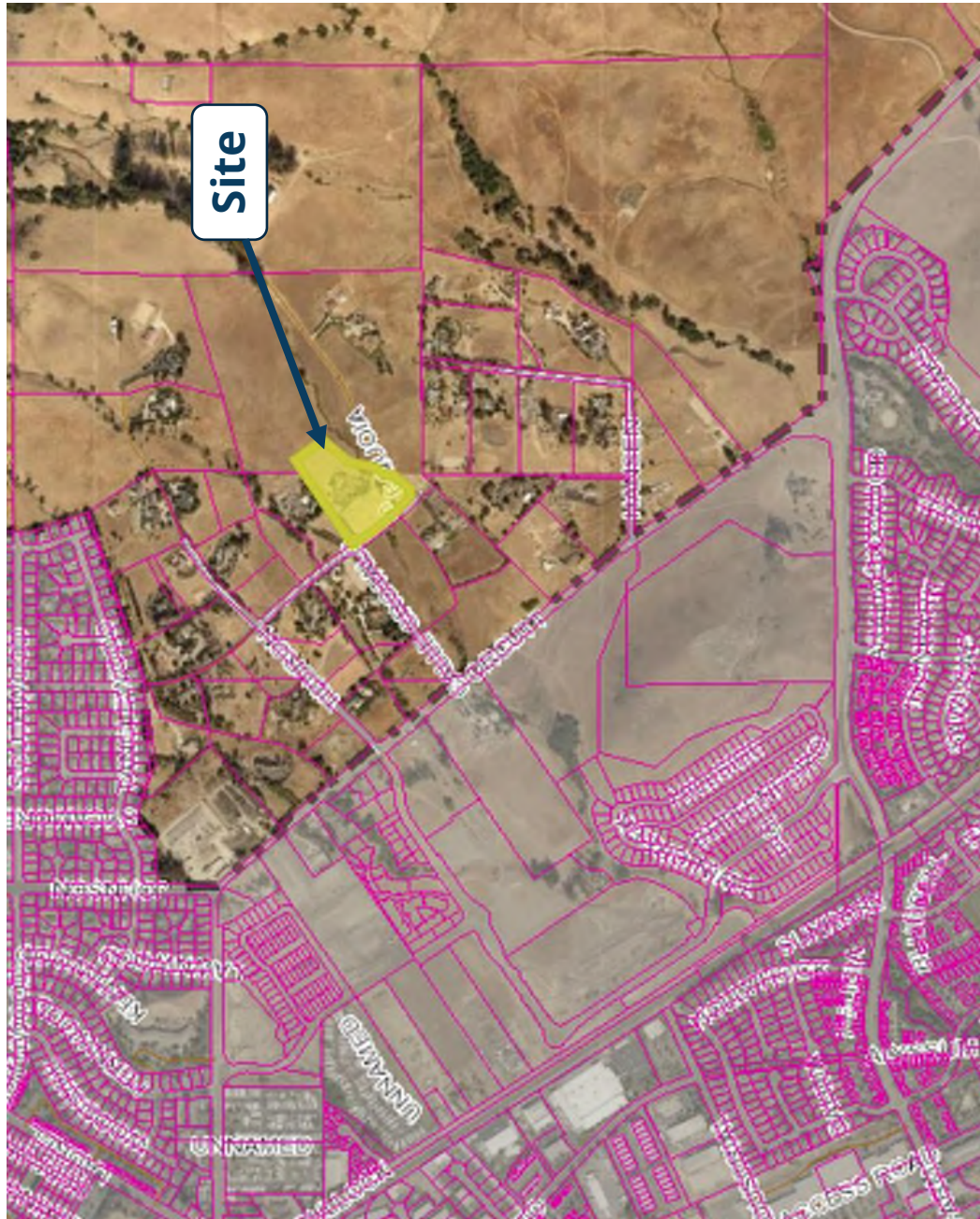




**Land Use Category Map
SUB2019-00051/Hanover**

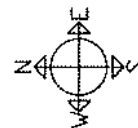
COUNTY OF SAN LUIS OBISPO





COUNTY OF SAN LUIS OBISPO

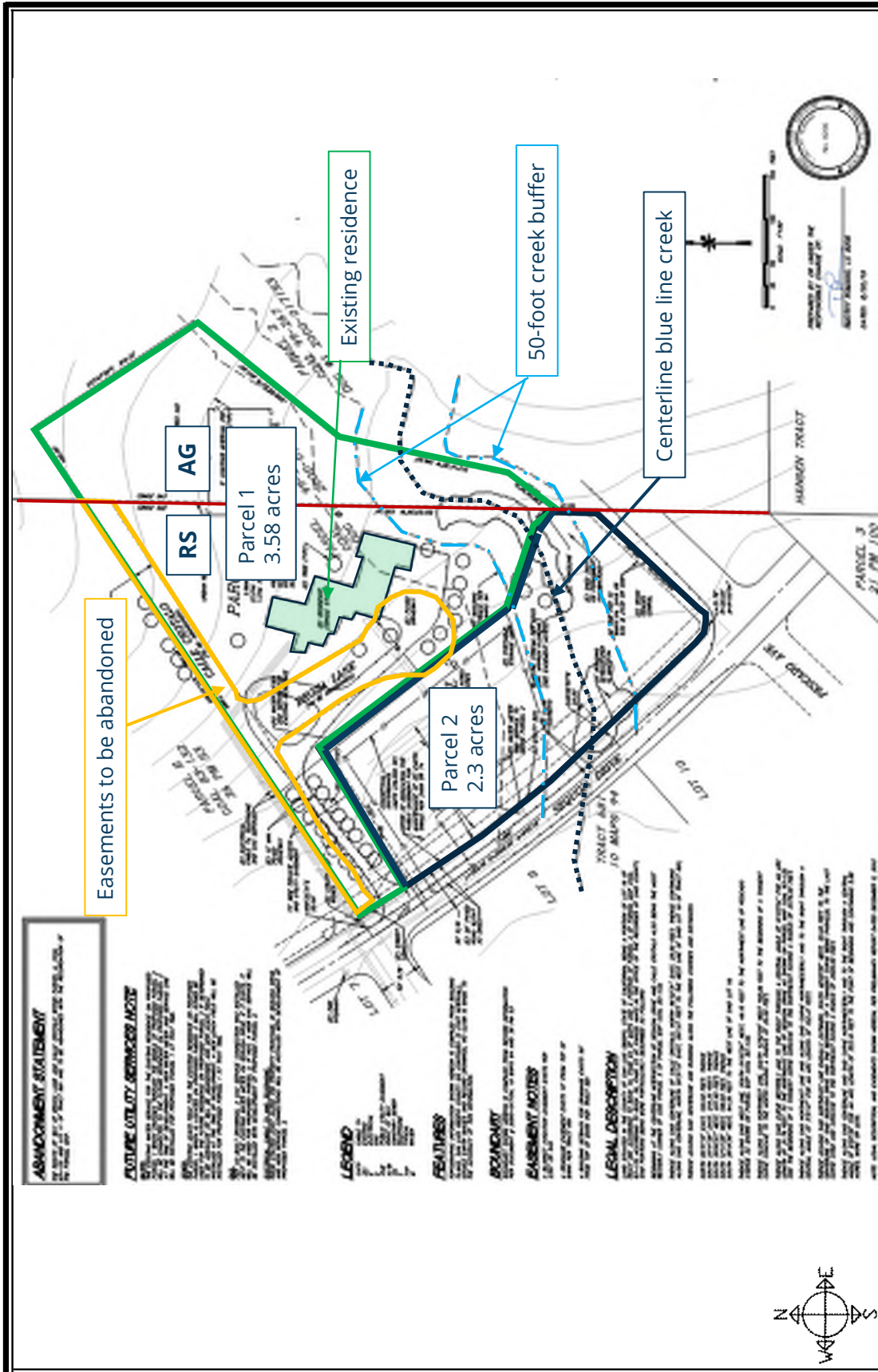
Aerial
SUB2019-00051/Hanover



Aerial
SUB2019-00051/Hanover

COUNTY OF SAN LUIS OBISPO





Tentative Map
SUB2019-00051/Hanover

COUNTY OF SAN LUIS OBISPO





Promoting the wise use of land
Helping build great communities

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

MEETING DATE October 5, 2020	CONTACT/PHONE Cindy Chambers Project Planner (805) 781-5608	APPLICANT Frank Mazzone	FILE NO. CO 14-106 SUB2019-00055
SUBJECT Hearing to consider a request by Frank Mazzone for a Tentative Parcel Map (CO14-0106 / SUB2019-00055) to subdivide an existing 16.73-acre parcel into two parcels of 11.66 and 5.07 acres each for the purpose of sale and/or development. Parcel 1 will include an existing 6,000 square foot residence, agricultural barn, and accessory storage structures. Parcel 2 will include an existing 1,200 square foot residence, a 500 square foot historic residence converted to storage, and several small accessory sheds. A side setback adjustment is requested to allow the existing structure to be located 10 feet, nine inches from the property line. A second adjustment is requested to eliminate standard road improvements on Monte Road, otherwise required by the County's standard improvement specifications and drawings and Title 21, The Real Property Division Ordinance. No new site disturbance is proposed or anticipated other than road and utility improvements. An existing shared well will continue to serve the two parcels. The property is in the Residential Rural land use category and subject to a Planning Area Standard that limits subdivision to two parcels and prohibits secondary residences. The project site is located at 6505 Monte Road, San Luis Obispo on the east side of Highway 101 at the intersection of San Luis Bay Drive and Monte Road, approximately 3 miles south of the City of San Luis Obispo, in the San Luis Bay Sub Area of the San Luis Obispo Planning Area.			
RECOMMENDED ACTION Approve Tentative Parcel Map CO 14-106, deny the request for a complete waiver of the Access and Circulation Design improvements codified in Title 21.03.010(4)(a), which was requested pursuant to Title 21.03.020, and approve an adjustment of the Access and Circulation Design improvements codified in Title 21.03.010(4)(a), as allowed by Title 21.03.020, based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 15 Categorical Exemption is proposed for this project (ED20-094, 05/08/2020).			
LAND USE CATEGORY RR	COMBINING DESIGNATION RE Renewable Energy	ASSESSOR PARCEL NUMBER 076-251-044	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: 22.96.030 San Luis Obispo Planning Area – San Luis Bay Sub Area Section 22.96.050 – Land Use Category Standards; E. Residential Rural (RR) 10. Monte Road – South			
LAND USE ORDINANCE STANDARDS: 22.22.060 Land Division - Residential Rural Land Use Category			
EXISTING USES: Two single-family residential units, utilities and accessory structures, landscaping, and ruderal grasses			
SURROUNDING LAND USE CATEGORIES AND USES: North: Agriculture / residences West: Agriculture / crops South: Agriculture / residences, crops East: Residential Suburban / single-family residence(s)			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: 3 rd District Legislative Assistant, Avila Valley Advisory Council, Building Division, County Fire / CalFire, Environmental Health, Public Works, AT&T, Charter Communications, PG&E, SoCalGas, City of San Luis Obispo			

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER □ SAN LUIS OBISPO □ CALIFORNIA 93408 □ (805) 781-5600 □ FAX: (805) 781-1242	
TOPOGRAPHY: Moderately sloping with portion of the site steeply sloping (Average 16% to 30%)	VEGETATION: Grasses, shrubs, ornamentals
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: County Fire/Cal Fire – State Responsibility Area	ACCEPTANCE DATE: December 31, 2019

BACKGROUND / PROPOSED PROJECT:

General Plan Amendment

In 2015, a General Plan Amendment was approved to amend the Land Use Category Map, and the San Luis Bay (Inland) Area Plan of the Land Use Element. The amendment changed the land use category from Agriculture to Residential Rural, to allow future subdivision of the property. A Planning Area Standard was included in the amendment to limit the number of parcels resulting from the subdivision to two parcels and to prohibit secondary residences.

Existing Development

The site includes two existing single-family residences, one at 6,000 square feet in size and the other at 1,200 square feet. The parcel also includes a 500 square foot historic residence built in the early 1920's. This residence was converted to an accessory storage structure (under a building permit) in order to comply with the Planning Area Standards established by the General Plan Amendment. The existing 1,200 square foot secondary residence on proposed Parcel 2 will become the primary home on the new lot.

Proposed Tentative Parcel Map

The applicant is proposing to subdivide the property into two parcels as was intended in the 2015 General Plan Amendment. This land division would divide the existing 16.73-acre parcel into two parcels of 11.66 and 5.07 acres each to allow for separate ownership of the two residences. Parcel 1 is accessed directly from Monte Road (a public road) and Parcel 2 is accessed from Via Caserta, an existing private road extending from Monte Road. There are no changes proposed to the access or structures by the applicant. The existing residences are proposing to share an existing well on Parcel 2. Each single-family residence is served by an existing private septic system.

Continuance

This subdivision was originally scheduled for hearing on August 3, 2020, but the applicant requested a continuance to file a request for a complete waiver of the Access and Circulation Design improvements codified in Title 21.03.010(4)(a), pursuant to Title 21.03.020. Therefore, the project was continued to the October 5, 2020 hearing date.

Existing Road System

Monte Road currently serves this parcel, in addition to the Baron Canyon Ranch subdivision to the north (approximately 24 residences on developed lots), two residences on Balm Ridge Way,

and additional vacant parcels on Balm Ridge Way. The road width varies between 16.7 feet to 18.1 feet along the project frontage, which is not compliant with current standards.

Although the frontage of the subject parcel is not within High Fire Hazard area, all of the properties on Baron Canyon and Balm Ridge Way which utilize Monte Road are located within High-Fire Hazard area. Monte Road is essentially a dead-end road. Properties north of the site do not have improved secondary access which means that this is an important road for public safety in this area.

PLANNING AREA STANDARDS:

The parcel is located within the San Luis Obispo Planning Area, San Luis Bay Sub Area. Section 22.96.050.E.10 applies to this parcel, and states:

10. Monte Road - South. The following standards apply to the site as shown in Figure 96.15.5 as Monte Road.

a. Parcel Size. The minimum parcel size for new land division in Monte Road South shall be 5 acres. No more than two parcels shall be allowed in any subsequent subdivision on the 16.74-acre parcel.

b. Density limitation. Residential density in Monte Road South area shall be limited to a maximum of one primary single-family residence for each 5 acre parcel. No secondary residences shall be allowed.

Staff Comments: *The project subdivides a previously developed parcel in a manner which complies with the San Luis Bay Sub-area standards. The land division would divide the property so that two existing single-family residences are on separate parcels.*

Development Potential

The proposed subdivision will not result in an increase in the number of primary residences on the two resulting parcels since there will be one existing residence on each parcel. All parcels within the Residential Rural land use category are limited to one primary residence.

While Section 22.96.050.E.10 prohibits the development of secondary residences, recent changes in state law and county ordinance would allow the development of an accessory dwelling unit on each parcel, which could result in additional site disturbance and vehicle trips.

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban area, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 5 and 10-acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	1,720 feet from Avila Beach urban reserve line	5 acres
Fire Hazard/ Response Time	<i>Within</i> the 15-minute response time In the <i>moderate</i> fire hazard area	5 acres
Access	Located on a 40-foot, maintained right-of-way	5 acres
Slope	Average slope is between 0 and 15%	5 acres (Parcel 2)
	Average slope is between 16% and 30%	10 acres (Parcel 1)

Quimby Fees

Title 21 establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing park or recreational facilities to serve new residents of the land division. Payment of the parkland fee (under the “Quimby Act”) for all undeveloped parcels is required prior to map recordation. The resulting parcels each have an existing residence; therefore, fee requirements for the resulting parcels will be evaluated prior to recordation and may not be required.

Inclusionary Housing Fees

Title 29, the Affordable Housing Fund, establishes an in-lieu fee to create a fund that would help to meet, in part, the housing needs of the County’s very low, low, moderate income and workforce households. Section 22.12.080 of Title 22, the Land Use Ordinance, describes the options the applicant may choose to satisfy the requirement.

Setbacks

The proposed parcels and existing development are consistent with the design criteria set forth in Chapter 3 of the Inland Land Use Ordinance (Title 22), as follows:

22.10.140 Setbacks	Distance (feet)	Comments	Compliant?
D. Front Setback	25-foot minimum required		
Parcel 1	360' to residence 690' to barn		Yes
Parcel 2	510' to residence 605' to accessory storage		Yes
E. Side Setback	30-foot minimum required		
Parcel 1	120' to residence 100' to barn		Yes
Parcel 2	105' to residence 10'-9" to accessory storage	Existing accessory building qualifies for adjustment under 22.10.140.B	Yes, with Adjustment
F. Rear Setback	30-foot minimum required		
Parcel 1	305' to residence 60' to barn		Yes
Parcel 2	152' to residence 90' to accessory storage		Yes

22.10.140.B Setback Adjustment:

An adjustment to the required 30-foot setback for the existing accessory structure has been requested under LUO 22.10.140.B and 22.54.020.F. The proposed side setback for the building is 10 feet, 9 inches from the northern side boundary of Parcel 2. County Fire / Cal Fire has provided a blanket authorization letter (G. Veyna, Fire Marshall, June 23, 2020), authorizing setback adjustment for any property of one acre or larger that maintains a minimum of ten feet to the side or rear property line.

Title 21- Parcel Design Standards

Staff Comments: The proposed parcels, as designed and conditioned, are consistent with the design criteria set forth in Chapter 3 of Title 21, Real Property Division Ordinance, as follows.

Real Property Division Ordinance Compliance - 21.03.010 Factors		Complies/Needs Adjustment/NA	Comments
a.	Ordinance Compliance	Complies, with CalFire Setback Adjustment	<u>Parcel 1:</u> Meets all setback requirements <u>Parcel 2:</u> storage structure approved for 10'-9" setback
b.	Statutory Compliance	Complies	
c.	Parcel and Site Design		
1	Encourages efficient use of land	Complies	Consistent with land use and surrounding area
2	Side parcel lines perpendicular to ROW	Complies	
3	Lot dimensions: Min. 60' at front setback (roadway or access easement), 80' minimum depth; 3:1 max length to width ratio	Complies	<u>Parcel 1: Monte Road</u> Frontage width = 566' Lot depth = 801' Length: Width ≈ 1:1.5 <u>Parcel 2: Via Caserta</u> Frontage width = 244' Lot depth = 735' Length: Width ≈ 1:3
4	Double-frontage lots discouraged	Complies	No double frontage created
5	Optimal utility achieved: (i) efficient use of land; (ii) minimal cuts, fills, site disturbance; (iii) Will not hinder future use or use of adjacent lots; (iv) Maintain character and pattern of area	Complies	Yes, project is consistent with the character and pattern of area and is an efficient use of land.
6	Access by easement or direct street frontage, no flag lots	Complies	Access from Monte Road and Via Caserta/Monte Road
7	Landscaping: Lots < 1 acre with community water: street trees are provided	N/A	Lots are proposed at 11.66 and 5.07 acres; street trees are not required
8	Building sites avoid visual impacts	N/A	Lots have already been developed with the maximum residential density
d.	Access and Circulation Design		
1	Street providing access is minimum 40-ft ROW for part-width, 50-ft ROW for full street; improvements per 21.05.020	Complies	Project is conditioned to improve Monte Rd. frontage to meet A-1c standards, as modified by adjustment: 10' lane and 2' shoulder (½-width)

Real Property Division Ordinance Compliance - 21.03.010 Factors		Complies/Needs Adjustment/NA	Comments
2	Provides for extension of existing street circulation	N/A	As conditioned
3	Lot design allows for future widening /opening of streets to ultimate ROW	Complies	As conditioned
4	Street centerlines continue existing centerlines or per standard specifications	Complies	As conditioned
5	Street intersections at right angles	N/A	No new streets
6	Tracts provide street stubs to future subdivisions; turnarounds for stubs >600'	N/A	Project is not a tract
7	Private easement to serve max of 5 lots - existing and potential future lots per GP	N/A	No new development proposed; Planning Area Standard limits any future subdivision of this property
8	Lots created with future subdivision potential are designed to provide for future primary/secondary streets.	N/A	No new development- Previous General Plan Amendment limits future further subdivision

State Responsibility Area

The subject property is located within the State Responsibility Area for fire services, which are provided jointly by County Fire/Cal Fire. The majority of the subject parcel, including the driveway access and all existing structural development, is within the "Moderate" fire hazard category. The site is in the "0-5 Minute Fire Response Area". A small area of Parcel 2 is located within "High Fire Hazard" designation along the northerly portion, approximately 230 feet from the existing residence. Section 22.96.050.E.10 prohibits the development of secondary residences; however, recent changes in state law and county ordinance would allow the development of an accessory dwelling unit on each parcel.

Staff Comments: *Special findings for subdivisions as required under Section 66474.02.(a) of the State Fire Code are not required for the subdivision (as proposed and conditioned) because the existing site improvements and fire access are not located within High Fire Hazard area, and no additional development is proposed.*

Although the frontage of the subject parcel is not within High Fire Hazard area, Monte Road also serves the Baron Canyon Ranch subdivision to the north (approximately 24 residences on developed lots), two residences on Balm Ridge Way, and several additional vacant parcels on Balm Ridge Way, which are within High-Fire Hazard area. The road width varies between 16.7 feet to 18.1 feet along the project frontage, which is less than the minimum State-required width. Therefore, this subdivision must provide road frontage improvements to meet the County Fire / Cal Fire access minimum standard under 66474.02.(a); which states:

"A finding supported by substantial evidence in the record that the design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any

applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code.”

With recommended conditions of approval the subdivision meets this requirement because it is conditioned to complete road improvements that meet or exceed State requirements. Staff has provided findings for the denial of the request for a complete waiver of the Access and Circulation Design improvements codified in Title 21.03.010(4)(a), which was requested pursuant to Title 21.03.020, and the approval of an adjustment of the Access and Circulation Design improvements codified in Title 21.03.010(4)(a), as allowed by Title 21.03.020.

Access and Circulation Design improvements

This application was reviewed in detail by the Public Works Department, County Fire / Cal Fire and Planning and Building relative to access and circulation requirements for the area, with consideration of the potential for further land divisions and development within the site vicinity as well as public safety. As a result of this review, road improvements are recommended to comply with County General Plan, Title 21 ordinance standards and state fire safety standards as a means of providing appropriate access and circulation for this area.

The Public Works Department originally recommended Monte Road be improved to meet the A-1c Rural standard for the property (half-width) frontage, and the following conditions of approval:

- C. In accordance with Resolution 2008-152 Monte Road (#2065) shall be improved to an A-1 standard along the project frontage (projected ADT>100, >20 lots, needed for area circulation).
- D. The proposed project fronts Monte Road (#2065), identified in the 2016 County Bikeways Plan as a Class 1 Bike Lane. Road widening improvements are required for compliance with the County Bikeways Plan.

The applicant did not agree to these standards, and requested a complete waiver of the Access and Circulation Design improvements codified in Title 21.03.010(4)(a). The applicant's basis for requesting the complete waiver is that;

- 1. The subdivision is not creating any new residential density due to existing residences on the resulting parcels.
- 2. Section 22.96.050.E.10 prohibits the development of secondary residences. Since no new development will occur, no new road improvements will be necessary.
 - a. Recent changes in state law and county ordinance would allow the development of an accessory dwelling unit on each parcel, which could result in additional site disturbance and vehicle trips.
- 3. At the time of the General Plan Amendment, Public Works had indicated that no road frontage improvements would be required with a subsequent subdivision.
- 4. Physical constraints with existing topography and drainage within the roadway could make construction of a wider travel lane and shoulder infeasible.

County Fire/Cal Fire – Mandatory State Requirements

Monte Road currently serves this parcel, in addition to the Baron Canyon Ranch subdivision to the north (approximately 24 residences on developed lots), two residences on Balm Ridge Way, and several additional vacant parcels on Balm Ridge Way. The road width varies between 16.7

feet to 18.1 feet along the project frontage, which is not compliant with minimum fire safety standards. County Fire/Cal Fire's minimum required road width is two 10-foot travel lanes with two-foot shoulders.

Requirements of State Fire Code (Title 14) related to County Fire/Cal Fire access such as the maximum length of a dead-end road or the minimum road design criteria are standards related to public health, safety and welfare, and are not subject to adjustment pursuant to Title 21.03.020.

Department of Public Works Analysis

In response to the applicant's request for a complete waiver, the Department of Public Works conducted a traffic count on Monte Road and found that Monte Road has an Average Daily Trip (ADT) count of 808. Based on this ADT count, Public Works will allow 10-foot travel lane(s) as allowed by CalFire/County Fire.

SUMMARY AND CONCLUSIONS:

Staff is recommending approval of Tentative Parcel Map CO 14-106 because it meets the requirements of Title 21, Title 22, and Section 22.96.050.E.10, which only applies to this parcel. Staff is also recommending denial of the request for a complete waiver of the Access and Circulation Design improvements codified in Title 21.03.010(4)(a), which was requested pursuant to Title 21.03.020 because Monte Road is currently deficient in width and level of improvement and does not meet County Fire / Cal Fire minimum standards. Staff is recommending approval of an adjustment of the Access and Circulation Design improvements codified in Title 21.03.010(4)(a), as allowed by Title 21.03.020, which is also supported by the Department of Public Works and County Fire/CalFire. Obtaining road improvements as the community grows ensures safe area-wide circulation systems to serve and protect the community at large.

COMMUNITY ADVISORY GROUP COMMENTS:

Avila Valley Advisory Council (AVAC): Reviewed this project on August 12, 2019 and had "no comment" on the SUB2019-00055 CO14-0106 Mazzone project application (J. Hartig, August 13, 2019).

AGENCY REVIEW:

Public Works: Supports the subdivision with frontage improvements, as conditioned, and supports an adjustment to modify the A1c half-width improvement of Monte Road. Public Works provided comments regarding road improvements, road fees, and compliance with stormwater requirements to be incorporated into the recommended Findings and Conditions, as well as the staff report (P. Moreci & J. Beard, June 16, 2020; updated September 8, 2020).

County Building: No comments; no buildings are proposed.

Environmental Health: Supports the subdivision map with a recommended condition for the applicant to consult with County Environmental Health and for the applicant to complete a well test, prior to map recordation. (L. Terry, November 22, 2019)

County Fire/ Cal Fire: Supports the proposed subdivision as conditioned, including a setback adjustment to side property line for the accessory building based on the March 25, 2020 County

Fire/CalFire memorandum. County Fire/Cal Fire has indicated that road improvement on Monte Road is required to meet the state CalFire minimum standard, as the existing roadway section is substandard and Title 14 Road Design Standards for public health and safety are not subject to adjustment with a subdivision (D. Byrnes, March 25, 2020 and G. Veyna, September 9, 2020).

LEGAL LOT STATUS:

The existing parent parcel was legally created by a recorded parcel map PM 54-94, Parcel 3 (CO99-157) at a time when that was a legal method of creating lots.

Staff Report prepared by Mathew Ringel and Cindy Chambers, and reviewed by Terry Wahler and Lacey Minnick.

EXHIBIT A - FINDINGS
SUB2019-00055/CO14-0106 (Mazzone) Tentative Parcel Map

Findings for Approval of the Tentative Parcel Map

Environmental Determination

- A. The project qualifies for a *Categorical Exemption (Class 15)* pursuant to CEQA Guidelines Section 153-15, (Minor Land Divisions) because the project consists of the division of property zoned Residential Rural into two parcels in conformance with the General Plan and zoning, where all services and access to the proposed parcels are available and no variances are required. The parcel has not been involved in a division of a larger parcel within the previous two years. The parcel does not have an average slope greater than 20 percent. Further, there are no unusual circumstances surrounding the project. The proposed project does not allow for further subdivision or vacant parcels for development. The proposed project does not impact any scenic resources for any officially designated scenic highways. The location of the proposed project is not within any hazardous waste site compiled pursuant to Gov. Code § 65962.5. The proposed project does not involve or cause a substantial adverse change in the significance of a historical resource.

Tentative Map

- B. The proposed subdivision map is consistent with applicable County general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Rural land use category.
- C. The proposed subdivision is consistent with the County zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance; as conditioned, the subdivision will comply with the improvements as required under Title 21.
- D. The design and improvement of the proposed subdivision are consistent with the applicable County general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval, and the design of the parcels meets applicable policies of the General Plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels are already developed and contain adequate area for the existing residential uses; the parcels created will have one residence on each, which is the maximum residential density allowed by the applicable Planning Area Standards.
- F. The site is physically suitable for the proposed density of the subdivision because each parcel on the site can adequately support a single-family residence and accessory uses as allowed in the Residential Rural land use category, and the development is already existing.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no new structures are proposed. The current parcel has two single family residential residences. The resulting parcels will divide the existing site so there is a single residence on each parcel. Road improvements required for the subdivision will be completed in the right-of-way in an area with low environmental sensitivity.

- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, because the map conditions include adequate roadway dedication and improvements to meet County standards.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Road Improvements

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

Findings for Denial of an Adjustment to Waive Title 21 Road Improvement Requirements

- K. That there are *insufficient* special circumstances or conditions affecting the subdivision to warrant elimination of standard road improvements **because** the existing improved Monte Road travel way is between 16.7-feet to 18.1-feet in width lacks shoulders, less than the County's required minimum 22-foot travel way and 6-foot shoulder standard. It is also less than the State's Fire Access minimum road standard of 20-foot travel way with 2-foot shoulders. Public roadways are for public health, safety and welfare, which would include but is not limited to, emergency service access, and emergency egress from surrounding neighborhood(s). Frontage improvements as conditioned are necessary for this project to meet State and County requirements for subdivision approval.
- L. That the granting of the adjustment *will* have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision **because** both CalFire and County Public Works concur that road improvements on Monte Road are a matter of Public Health and Safety for this neighborhood, as the road serves existing residences located in High-Fire Hazard area to the north and east of this property. State requirements under Title 14 require frontage improvements to meet minimum standards with approval of any subdivision.
- M. That the granting of the adjustment *will be materially detrimental to the public welfare* or injurious to other property or improvements in the neighborhood of the subdivision **because** an adjustment to waive State-required improvements on Monte Road is not allowed by State Law.

Findings for Approval of an Adjustment to the Requirements of Standard Specifications for Road Improvements

- N. That there are special circumstances or conditions affecting the property being subdivided, presented by the sloping topography of the property's frontage which would require extensive cut slopes or retaining walls to achieve a full A1c standard 11-foot travel lane and

a six-foot shoulder. The adjustment to meet the State minimum road width of a 10-foot travel lane and two-foot shoulder will better accommodate the topographical constraints while still meeting the minimum roadway access required for public safety. The road improvement with this adjustment to design standard is commensurate with the entitlement request: creation of two parcels from one, with existing development on both and with no potential for further subdivision.

- O. That the adjustment to modify the A-1c half-road section to meet the CalFire minimum standard will not be detrimental to the traffic circulation system, the public utility and storm drainage systems, or vehicular or pedestrian safety because the travel lane will meet minimum State road width, existing drainage and slope constraints along the right-of-way frontage can be adequately addressed in improvement design, and the two-foot shoulder will improve safety to an adequate level for the rural dead-end road.
- P. That approval of the adjustment will not result in any unreasonable costs in the maintenance of the improvement by the entity charged with such maintenance responsibility because Monte Road is County-maintained and the reduced-width road lane and shoulder will avoid extensive slope cuts creating potential erosion or retaining walls that would require public maintenance.
- Q. That the granting of the adjustment will not be detrimental to, nor degrade, any portion of the improvement work involved in the subdivision because no onsite improvements are required, and the half-width adjustment to frontage improvements will result in an improved roadway and shoulder providing increased safety and adequate fire access to the surrounding neighborhood.

EXHIBIT B – CONDITION OF APPROVAL

SUB2019-00055/CO14-0106 (Mazzone) Tentative Parcel Map

Approved Project

1. Project approval authorizes subdivision of a 16.73-acre parcel into two parcels of 11.66 and 5.07 acres, for the purposes of sale and/or development, including any related road improvements, easements, utilities and drainage improvements required as conditions of approval.
 - a. Parcel 1 includes an existing 6,000 square foot residence, agricultural barn and accessory storage structures.
 - b. Parcel 2 includes an existing 1,200 square foot residence, a 500 square foot accessory storage building, and several small accessory sheds.
 - c. A setback adjustment was approved by County Fire / Cal Fire for the existing accessory storage structure on Parcel 2 to be located 10 feet, nine inches from the north side property line.
 - d. The parcels will be served by separate onsite septic systems.
 - e. The two parcels shall share the existing well located on Parcel 1 under a recorded Shared Well Agreement.
 - f. This subdivision is subject to the Planning Area Standards (22.96.050.E.10.b.) limiting further subdivision and residential density as approved by General Plan Amendment LRP2013-00016.
2. This approval is valid for 24 months from the date of approval by the Review Authority. Up to six (6) one-year time extensions can be granted. These one-year extensions must be requested, one year at a time, **prior to the expiration date of the map**. Per the State Subdivision Map Act, Government Code section 66463.5, if a map expires, no further action can be taken by the County unless a new map is applied for and approved. It is the applicant's responsibility to track expiration dates. All timeframes on approved tentative maps for filing of parcel or final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act.

Access and Improvements

3. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. Monte Road (#2065) shall be widened to complete the project frontage of an A-1 rural road section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. All driveway approaches along Monte Road (#2065) shall be constructed in accordance with County Public Improvement Standard B-1 drawing for rural roadways.
 - c. All roadway grading shall be done in accordance with Title 19 and the California Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
4. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative.

5. The applicant shall provide the county with an Engineer of Work Agreement retaining a registered civil engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works. The civil engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.

Offers, Easements and Restrictions:

6. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For road widening purposes a variable road right-of-way along Monte Road (#2065) of sufficient width to contain all elements of the roadway prism.
 - b. A public utility easement along Monte Road (#2065) to be described as 6-feet beyond the right-of-way, plus those additional easements as required by the utility company, shall be shown on the final map.
 - c. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
7. The applicant shall reserve the following private easements by certificate on the map or by separate document:

A minimum 10-foot water line easement over Parcel 1 in favor of Parcel 2 as shown on approved Tentative Parcel Map.

Improvement Maintenance:

8. Roads and/or streets shall be maintained as follows:

Prior to map recordation a Road Maintenance Agreement must be recorded with the San Luis Obispo County Clerk-Recorder. The agreement shall establish an organized and perpetual mechanism to ensure adequate maintenance of the onsite shared access road/s; and shall be binding upon the heirs and assigns.

At the time of submittal for Construction Permits / Improvement Plans

Improvement Plans

9. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the County Health Department for approval. The plans are to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Utility plan.
 - i. Water plan to be approved jointly with County Environmental Health. Water facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
 - ii. Sewer plan to be approved jointly with County Environmental Health. Sewer facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.

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- iii. New electric power, telephone and cable television service conduits and appurtenances shall be constructed and service conduits stubbed to each new parcel.
- iv. New gas distribution mains and appurtenances shall be installed along the entire project frontage(s) and gas service laterals stubbed to each new parcel.
- d. Sedimentation and erosion control plan for subdivision related improvements.
- e. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
- f. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
- g. Trail plan, if required, to be approved jointly with County Parks.
- h. All grading shall be done in accordance with the County Public Improvement Standards and the California Uniform Building Code. Lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Subdivision Grading

- 10. Grading not associated with required public improvements shall be subject to the Subdivision Grading Process per Section 2.1.3 of the latest Public Improvement Standards. The Public Works Department will act as a deputy to the Building Official for all on-site grading not associated with Public Improvements.

Drainage & Flood Control

- 11. Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval, if required. If calculations so indicate, drainage must be retained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.

All project related drainage shall be designed and constructed in accordance with the recommendations of the San Luis Creek Watershed Drainage Design Manual.

Stormwater Pollution Prevention Plan (SWPPP)

- 12. **At the time of application for construction permits or project improvements**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Fees

- 13. **Prior to commencing permitted activities or within 30 days of Land Use Permit approval** if no building permits are required, and in accordance with Title 13.01 of the County Code, the applicant must pay to the Department of Public Works the Avila Valley Road Improvement Fee based on the latest adopted area fee schedule. The fee schedule is subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of issuance of building permits, or within 30 days of Land Use Permit approval if no building permits are required.

Prior to Filing the Parcel Map for Recordation

Additional Map Sheet

14. At the time of submittal of a Parcel Map for recording, the applicant shall prepare an additional map sheet to be approved by the County Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel. The additional map sheet shall include the following:
- a. If improvements are bonded for, all public improvements (access, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
 - b. Notification to prospective buyers that all subdivision roads and streets are to be privately maintained, indicating the proposed maintenance mechanism.
 - c. Notification that the owner(s) of all lots are responsible for on-going maintenance of drainage and flood control improvements including basins, pipes, manholes, inlets, headwalls, sediment control devices, fencing, landscaping, etc. in a viable condition on a continuing basis into perpetuity, and indicating the proposed maintenance mechanism. The improved areas shall be indicated as a building restriction.
 - d. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or project related roads to be accepted for County maintenance shall require an encroachment permit.
 - e. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Avila Valley Road Improvement Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of issuance of building permits.
 - f. The property owner shall be responsible for the operation and maintenance of public road frontage landscaping and driveway sight distance in a viable condition and on a continuing basis into perpetuity.
 - g. This subdivision into two parcels represents the maximum division of the underlying property approved for General Plan Amendment **LRP2013-00016** as described in the Findings and Conditions thereof, and as limited by Planning Area Standards under 22.96.050.E.1.b.

Water & Wastewater Disposal

15. **Prior to filing the final parcel map or tract map**, the applicant shall: consult with the County Department of Environmental Health regarding the proposed shared-well water system; conduct and submit a 12 hour pump test on the existing well with results demonstrating the minimum required water production; and, provide confirmation of receipt / authorization to proceed from County Environmental Health to Planning.
16. **Prior to the filing of the final parcel map**, the applicant shall submit to and be jointly approved by the County Department of Planning and Building and County Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the:

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- a. subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage);
- b. presence of groundwater;
- c. separation between sewage disposal saturation areas and groundwater;

borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.

Parks and Recreation (Quimby) Fees

17. **Prior to filing of the final parcel or tract map**, unless exempted by Chapter 21.09 of the County Real Property Division Ordinance or California Government Code section 66477, the applicant shall pay the in-lieu fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Inclusionary Housing

18. **Prior to filing the final parcel map or tract map** (or prior to issuance of any construction permit for a structure), the applicant shall enter into an inclusionary housing agreement to ensure the construction of inclusionary housing unit(s), in conformance with Section 22.12.080. As an alternative, the applicant may pay the residential in-lieu fee pursuant to Section 22.12.080.C.3.b, or defer in-lieu fee payment pursuant to Section 22.12.080.J.4.c.

Miscellaneous

19. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
20. All lots must be numbered in sequence.
21. This subdivision is also subject to the standard conditions of approval for all subdivisions using SHARED WELL AND INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEMS, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
22. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
23. Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
24. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.

**STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING SHARED WELLS AND SEPTIC TANKS**

DEFINITION: A shared well system means a private water system consisting of 2, 3, or 4 service connections. When a shared well system is proposed the applicant shall contact Environmental Health Services for assistance in properly designing a shared water well system. A shared water well system review fee (said fee is separate from any fees paid through the County Planning and Building Department) shall be provided to Environmental Health Services **prior to finaling or recording the map.**

1. Each parcel shall have access to a private well(s) for domestic water supply service that has been approved by Environmental Health Services.
2. Operable water facilities shall exist prior to the filing of the final subdivision map. Evidence of adequate and potable water, shall be submitted to Environmental Health Services including the following:
 - A. Well Completion Report- The well log generated by the licensed well driller at the time the well was constructed.
 - B. Production- On shared wells, a minimum of a twelve hour pump test with draw down and recovery data by a **licensed and bonded** well driller or pump testing company, shall be submitted for review and approval for each well proposed to be “shared” for the subdivision. (within the last 5 years).
 - C. Water Quality- A complete chemical analysis, to include general mineral, general physical and inorganics, shall be submitted for evaluation for each of the wells developed. Site evaluations may trigger additional testing requirements by Environmental Health Services. (within the last 5 years).
 - D. Sanitary Seal- Wells constructed with less than a 50 foot annular seal will require installation of an automatic chlorinator at the well head.
 - E. Shared Well Agreement- A shared water well legal agreement (**to run with the land**). Environmental Health Services recommends such an agreement be prepared in consultation with a qualified attorney. Said agreement shall be signed and notarized by all involved property owners. The legal agreement shall then be officially recorded with the county.
 - F. Waterline Easements- Waterline easements shall be created and recorded for waterlines running to each respective parcel. Where a shared water well system is being created in conjunction with a new subdivision, said waterline easements shall be shown on the final subdivision map. Documentation shall be submitted verifying that waterlines have been installed to each respective parcel (i.e., to the boundary of each parcel).
 - G. Fee- A shared water well system review fee of \$200.00 (said fee is separate from any fees paid through the County Planning and Building Department).
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan and County Building and Construction Ordinance, Title 19, will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.

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5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve 5 or more parcels shall be separated by a minimum of two hundred (200) feet from septic systems and dry wells.
6. Individual systems on new land divisions shall be designed and constructed to either reserve sufficient site area for dual leach fields (100% replacement area), or construct the dual leach fields with a diverter valve at the time of initial septic system installation.
7. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the County Planning Department for review and approval **prior to the issuance of a building permit**. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.
8. An encroachment permit shall be obtained from County Public Works for any work to be done within the County right-of-way.
9. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
10. Any existing reservoir or drainage swale on the property shall be delineated on the map.
11. Prior to submission of the map "checkprints" to County Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
12. Required public utility easements shall be shown on the map.
13. Approved street names shall be shown on the map.
14. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of the land proposed.
15. The developer shall submit a preliminary subdivision guarantee to County Public Works for review prior to recordation of the map.
16. Any private easements on the property shall be shown on the map with recording data.
17. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to recordation of the map.
18. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
19. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
20. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



COUNTY OF SAN LUIS OBISPO
Department of Public Works
 John Diodati, *Interim Director*

TITLE 21 ADJUSTMENT

Date: August 28, 2020
 To: Cindy Chambers, Project Planner
 From: JR Beard, Development Services
 Subject: **SUB2019-00055 CO14-0106, Mazzone Parcel Map, 6505 Monte Rd, San Luis Obispo, APN 076-251-044**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

- A. This is a response to a Title 21 Adjustment request for SUB2019-00055 CO14-0106 to seek relief of ordinance 21.03.010(4)(a), Access and Circulation Design, for road improvements along Monte Road (#2065).
- B. Monte Road is a "Local" road with Average Daily Trips (ADT) of 808, in accordance with Resolution 2008-152 (attached) and 2019 Public Improvement Standards, this would require an A-1c Rural Road Section, consisting of two (2) 11-foot travel lanes and 6-foot shoulders both sides. Applicant is responsible for project frontage, so this would require one (1) 11-foot travel lane and a 6-foot shoulder as measured from centerline of existing roadway.
- C. The applicant, Kirk Consulting, provided an exhibit (attached) on August 26, 2020 prepared by Twin Cities Surveying Inc., that depicts Monte Road with a variable road width of 16.7-feet to 18.1-feet along project frontage, thus showing deficiency of existing roadway.
- D. Public Works does not support the Title 21 Adjustment request to waive ordinance 21.03.010(4)(a), Access and Circulation Design for the following reasons:
 - 1. Public roadways are for public health, safety and welfare, which would include but is not limited to, emergency service access, and emergency egress from surrounding neighborhood(s).
 - 2. Monte Road (#2065) roadway does not meet minimum roadway width requirements in accordance with 2019 Public Improvement Standards, for minimum paved width of 22-feet. Public Works would allow 10-foot travel lane(s) as allowed by Cal Fire.
 - 3. Monte Road (#2065) roadway does not meet minimum roadway width requirements in accordance with Cal Fire "Standard 4 Access Roads & Driveways", which states:
 "The access road must be a minimum of 24 feet wide, allowing for two-way traffic. It shall be constructed to County of San Luis Obispo standards, two (2) 10-foot driving lanes and two (2) 2-foot shoulders."

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COUNTY OF SAN LUIS OBISPO
Department of Public Works
John Diodati, Interim Director

RECOMMENDED CONDITIONS

Date: June 16, 2020 (revised August 28, 2020)
To: Cindy Chambers, Project Planner
From: Peter Moreci, JR Beard, Development Services
Subject: **SUB2019-00055 CO14-0106, Mazzone Parcel Map, 6505 Monte Rd, San Luis Obispo, APN 076-251-044**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

- A. At the time the project referral was received by Public Works on July 12, 2019 the application acceptance date had not been established. The attached recommended conditions of approval are subject to change based on Ordinances and Policies in affect at the date of application acceptance.
- B. Recommend the following finding [per 21.050.045 (a-c)] be incorporated into Findings to ensure public improvements are constructed prior to recordation (or bonded for): *"In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within the time frame approved in the Subdivision Agreement and prior to issuance of a permit or other grant of approval for development on a parcel."*
- C. In accordance with Resolution 2008-152 Monte Road (#2065) shall be improved to an A-1 standards along the project frontage (projected ADT>100, >20 lots, needed for area circulation).
- D. The proposed project fronts Monte Road (#2065), identified in the 2016 County Bikeways Plan as a Class 1 Bike Lane. ~~Road widening improvements are required for compliance with the County Bikeways Plan.~~
- E. The proposed project is within the Avila Valley. Payment of Road Improvement Fees is required prior to building permit issuance.
- F. This project is not a regulated project as it appears to not meet the applicability criteria for Stormwater Management. Therefore, no Stormwater Control Plan is required.
- G. If the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit, which may require preparation of a project Stormwater Control Plan even though it is located outside a Stormwater Management Area.

Recommended Public Works Conditions of Approval

Access and Improvements:

- 1. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:

County of San Luis Obispo Department of Public Works

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pwd@co.slo.ca.us | slocounty.ca.gov

Attachment 3

- a. Monte Road (#2065) shall be widened to complete the project frontage of an A-1 rural road section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. All driveway approaches along Monte Road (#2065) shall be constructed in accordance with County Public Improvement Standard B-1 drawing for rural roadways.
 - c. All roadway grading shall be done in accordance with Title 19 and the California Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.
2. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative.
 3. The applicant shall provide the county with an Engineer of Work Agreement retaining a registered civil engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works. The civil engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans.

Offers, Easements and Restrictions:

4. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For road widening purposes a variable road right-of-way along Monte Road (#2065) of sufficient width to contain all elements of the roadway prism.
 - b. A public utility easement along Monte Road (#2065) to be described as 6-feet beyond the right-of-way, plus those additional easements as required by the utility company, shall be shown on the final map.
 - c. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
5. The applicant shall reserve the following private easements by certificate on the map or by separate document:
 - a. A minimum 10-foot water line easement over Parcel 1 in favor of Parcel 2 as shown on approved Tentative Parcel Map.

Improvement Maintenance:

6. Roads and/or streets shall be maintained as follows:
 - a. Prior to map recordation a Road Maintenance Agreement must be recorded with the San Luis Obispo County Clerk-Recorder. The agreement shall establish an organized and perpetual mechanism to ensure adequate maintenance of the onsite shared access road/s; and shall be binding upon the heirs and assigns.

Improvement Plans:

7. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plans are to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Utility plan.
 1. Water plan to be approved jointly with County Environmental Health. Water facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
 2. Sewer plan to be approved jointly with County Environmental Health. Sewer facilities and appurtenances shall be constructed and service laterals stubbed to each new parcel.
 3. New electric power, telephone and cable television service conduits and appurtenances shall be constructed and service conduits stubbed to each new parcel.
 4. New gas distribution mains and appurtenances shall be installed along the entire project frontage(s) and gas service laterals stubbed to each new parcel.
 - d. Sedimentation and erosion control plan for subdivision related improvements.
 - e. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
 - f. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
 - g. Trail plan, if required, to be approved jointly with County Parks.
 - h. All grading shall be done in accordance with the County Public Improvement Standards and the California Uniform Building Code. Lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Subdivision Grading:

8. Grading not associated with required public improvements shall be subject to the Subdivision Grading Process per Section 2.1.3 of the latest Public Improvement Standards. The Public Works Department will act as a deputy to the Building Official for all on-site grading not associated with Public Improvements.

Drainage & Flood Control:

9. Submit complete drainage calculations prepared by a licensed civil engineer to the Department of Public Works for review and approval, if required. If calculations so indicate, drainage must be retained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basin/s is/are to be maintained in perpetuity.
10. All project related drainage shall be designed and constructed in accordance with the recommendations of the San Luis Creek Watershed Drainage Design Manual.

Stormwater Pollution Prevention Plan (SWPPP)

11. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Fees:

12. **Prior to commencing permitted activities**, and in accordance with Title 13.01 of the County Code, the applicant must pay to the Department of Public Works the Avila Valley Road Improvement Fee based on the latest adopted area fee schedule.

The fee schedule is subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of issuance of building permits, or within 30 days of Land Use Permit approval if no building permits are required.

Additional Map Sheet:

13. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel. The additional map sheet shall include the following:
 - a. If improvements are bonded for, all public improvements (access, drainage, and utilities) shall be completed to the satisfaction of the County prior to occupancy of any new structure.
 - b. Notification to prospective buyers that all subdivision roads and streets are to be privately maintained, indicating the proposed maintenance mechanism.
 - c. Notification that the owner(s) of all lots are responsible for on-going maintenance of drainage and flood control improvements including basins, pipes, manholes, inlets, headwalls, sediment control devices, fencing, landscaping, etc. in a viable condition on a continuing basis into perpetuity, and indicating the proposed maintenance mechanism. The improved areas shall be indicated as a building restriction.
 - d. All driveway approaches shall be constructed in accordance with County Public Improvement Standards. All driveway approaches constructed on County roads or project related roads to be accepted for County maintenance shall require an encroachment permit.
 - e. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Avila Valley Road Improvement Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of issuance of building permits.
 - f. The property owner shall be responsible for the operation and maintenance of public road frontage landscaping and driveway sight distance in a viable condition and on a continuing basis into perpetuity.

Attachment 3

Miscellaneous:

14. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
15. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
16. All lots must be numbered in sequence.
17. All timeframes on approved tentative maps for filing of parcel or final tract maps are measured from the date the Review Authority approves the tentative map as required by the Subdivision Map Act.

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Attachment 3

21.02.046(a) Tentative Map Check List

Status	Item	Comments
✓	<u>Preliminary Title Report</u> . Preliminary title report concerning the property which is not more than six months old showing current property owners.	
✓	(1) <u>Record Data</u> . The boundary lines of the original parcel, with dimensions shown in feet, based on survey data or information of record, and area of the property shown in square feet or acres to the nearest tenth.	
✓	(2) <u>Property Description</u> . A description of the property as well as the assessor's parcel number(s) for the property.	
✓	(3) <u>Legend and Owner Information</u> . A north arrow and scale, the name and address of the record owner(s), and the name and address of the subdivider.	
✓	(4) <u>Vicinity Map</u> . A vicinity map on which shall be shown the general area including adjacent property, subdivisions and roads	
✓	(5) <u>Existing Structures</u> . All existing structures, wells, septic tanks, driveways and other improvements located on the original parcel shall be accurately located, identified and drawn to scale. The distance between structures, the distance from existing structures to the boundary lines of the new parcel on which the structures are to be located, and the height of each structure shall be shown. Such distances shall be established by a registered civil engineer's or licensed land surveyor's survey when deemed necessary by the planning department.	
✓	(6) <u>Contour Lines</u> . Contour lines of the property shall be shown at intervals set forth: >40 Ac, 40ft; 20-40 AC, 20 ft; 10-20 AC, 10 ft; <10 AC w/ 0-12% slope, 2 ft; >12% slope , 5 ft	
✓	(7) <u>Drainage</u> . The approximate location of all watercourses, drainage channels and existing drainage structures.	
✓	(8) <u>Landforms</u> . The approximate location of other topographic or manmade features, such as bluff tops and ponds.	
X	(9) <u>Lakes and Ocean</u> . Approximate high-water lines in lakes or reservoirs, and the mean high tide line of the ocean.	
X	(10) <u>Flood Hazard</u> . The location of all areas subject to inundation or stormwater overflow.	
✓	(11) <u>Proposed Parcel Lines</u> . The proposed division lines with dimensions in feet and the gross and net area of each parcel created by such division in square feet or acres to the nearest tenth. Also, each parcel created shall be designated on the tentative map by number.	
✓	(12) <u>Designated Building Sites</u> . Any designated building sites proposed by the applicant to minimize grading, tree removal, and other potential adverse impacts, or any areas proposed for exclusion from construction activities, shall be shown on the tentative map for proposed parcels greater than ten thousand square feet. Also, any details on proposed building setback lines and widths of side yards shall be shown on the tentative map.	

Attachment 3

Status	Item	Comments
✓	(13) <u>Streets</u> . The locations, names, county road numbers and widths of all adjoining and contiguous highways, streets and ways.	
✓	(14) <u>Easements</u> . The locations, purpose and width of all existing and proposed easements, streets (with proposed names) and appurtenant utilities.	
✓	(15) <u>Coastal Zone</u> . For tentative maps for properties located within the coastal zone between the sea and the first public road paralleling the sea, show the location of the public access ways nearest to the subject site	

Status: **X** = Not Applicable **O** = Requires Compliance **✓** = Complied

PRM 12/9/19

County of San Luis Obispo Department of Public Works

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CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
 Phone: 805.543.4244 • Fax: 805.543.4248
www.calfireslo.org

TO:	Planning Department	DATE:	09/30/2020
FROM:	Garrett Veyna San Luis Obispo County Fire		
Project:	6505 Monte Rd, Subdivision Map SUB2019-00055 / CO14-0106 Mazzone	APN:	076-251-944

The San Luis Obispo County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. All construction plans and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance (2019 CA Fire Code, CA State Title 14, San Luis Obispo County Title 16).
2. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of CA Title 14 and San Luis Obispo County Title 16. (Title 14 1270.02) Road standards are required to be met when (1) permitting or approval of new parcels, excluding lot line adjustments as specified in Govt Code section 66412(d).
3. Driveway standards (14-foot-wide road depending on length) can be for 2 parcels with no more than 2 residential units (no commercial use). Anything outside those parameters would be an access way (20 feet wide with 2 feet shoulders). Road is evaluated to the public right of way.
4. Turnouts shall be a minimum of 12 feet in width, 30 foot in length and 25-foot taper on each end. Refer to CA Title 14 for spacing requirements.
5. Turnarounds are required on driveways and dead end roadways.
6. Grades for all roadways and driveways shall not exceed 16 percent. Over 16 percent up to 20 percent require approval. No grades over 20 percent will be approved. Reference paving standards based on grade.
7. Roadway radius shall not have a radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.

Attachment 3

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Should you have any questions, contact me at (805)593-3422 or email at garrett.veyna@fire.ca.gov



635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805.543.4244 • Fax: 805.543.4248
www.calfireslo.org

Scott M. Jalbert, Unit Chief

March 25, 2020

County of San Luis Obispo
Department of Planning and Building
Attention: Cindy Chambers
County Government Center
San Luis Obispo, CA 93408

Subject: Mazzone Parcel Map (SUB2019-00055)

Ms. Chambers,

I have reviewed the proposed subdivision map for the Mazzone parcel (SUB2019-00055) which is located in State Responsibility Area (SRA) with a moderate fire severity zone. There is a current structure on the property that the Planning and Tax Assessor Office shows as a habitable structure which is only 10 feet 6 inches setback from a property line. The applicant has requested a variance for 19 feet 6 inches to meet a 30-foot setback. CAL FIRE will grant this variance since the structure is conditioned non-habitable per General Plan restrictions.

If I may be of additional assistance, please do not hesitate to contact me at (805)543-4244, ext.3490.

Thank you,

Dennis Byrnes
Fire Captain /Inspector



County of San Luis Obispo
Fire Department

Scott M. Jalbert
Fire Chief

Memorandum

To: Trevor Keith, Director
Department of Planning
and Building

Date: June 23, 2020

Telephone: (805) 573-3400

Website: www.calfireslo.org

From: Garrett Veyna
Fire Marshal

Subject: Setback requirements

In accordance with San Luis Obispo County Land Use Ordinance sections 22.10.140.B and 22.54.020.F and Coastal Zone Land Use Ordinance sections 23.04.112.d and 23.05.104.f, setback adjustment requests for sites of one acre or larger that maintain a minimum side and rear setback of ten feet are approved.

If additional information is needed, please contact the San Luis Obispo County Fire Marshal's Office at 805-543-4244.

Fire Marshal - Battalion Chief

A handwritten signature of Garrett Veyna in black ink, written over a horizontal line.

Garrett Veyna

Integrity – Competence – Teamwork – Courage - Commitment



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY

PUBLIC HEALTH DEPARTMENT

Michael Hill Health Agency Director

Penny Borenstein, MD, MPH Health Officer/Public Health Director

November 22, 2019

Kirk Consulting
8830 Morro Road
Atascadero, CA 93422

ATTN: FRANCISCO VARGAS
RE: TENTATIVE PARCEL MAP CO 14-0106 (MAZZONE)
APN 076-241-044

Water Supply

This office is in receipt of satisfactory **preliminary** evidence of water in the form of a Well Completion Report (WRC2018-005193) dated on 06/01/2018. Be advised that additional water well documentation may be required prior to approving the map for recordation. Adequate documentation may include, well completion reports for domestic wells, current well capacity (4 hour minimum pump test for wells serving individual parcels, 12 hour minimum for wells serving 2-4 parcels) and current water quality testing ("current" is information not more than 5 years old). Please contact this office for details regarding required testing before initiating work. Any proposal to share a domestic water well will require consultation with Division staff prior to hearing.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met. This office is responsible for certifying that field investigations show that ground slopes and soil conditions will allow for satisfactory disposal by on-site septic systems. Be advised that all septic system leach fields (and expansion areas) shall be installed at a minimum of 100 feet away from any domestic water wells or watercourse, 200 feet away from reservoir, shall be located in areas **free from bedrock**, and shall **not be placed on natural slopes that exceed 30%**. Should a wastewater disposal system be installed in an area with greater than 20% slope it must be designed and the installation certified by a registered civil engineer. Prior to recordation, applicant to confirm functionality of existing onsite wastewater systems.

CO 14-0106 is approved for Environmental Health subdivision map processing.

A handwritten signature in blue ink, appearing to read "Leslie Terry".

Leslie Terry, REHS
Environmental Health Services

Cc: Cindy Chambers, Planning & Building

Environmental Health Services

2156 Sierra Way, Suite B | San Luis Obispo, CA 93401 | (P) 805-781-5544 | (F) 805-781-4211
www.slopublichealth.org/ehs

Avila Valley Advisory Council

San Luis Obispo County, California
P.O. Box 65
Avila Beach, CA 93424 www.avac-avila.org

2019 Officers

Chair

Jim Hartig

Vice Chair

Mary Matakovich

Secretary

Lynn Walter

Treasurer

Julia Hartzell

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Mary Matakovich

Lisa Newton

Anne Brown

Open(alt)

Avila Valley

Julia Hartzell

MaryEl Hansen

Marti Brand (alt)

San Luis Bay Estates

Sherri Danoff

Jim Hartig

Ken Thompson

Martin Suits

Steve Benedict

Saul Goldberg

Lynn Walter (alt)

Carol Hayden (alt)

See Canyon

Denise Allen

Mike Casola

Liz Gujo-Johnson (alt)

Squire Canyon

Kirt Collins

Margaret Greenough

Open (alt)

August 13, 2019

To: Cindy Chambers, Planner, SLO County Planning and Building

Re: SUB2019-00055 CO14-0106 Mazzone

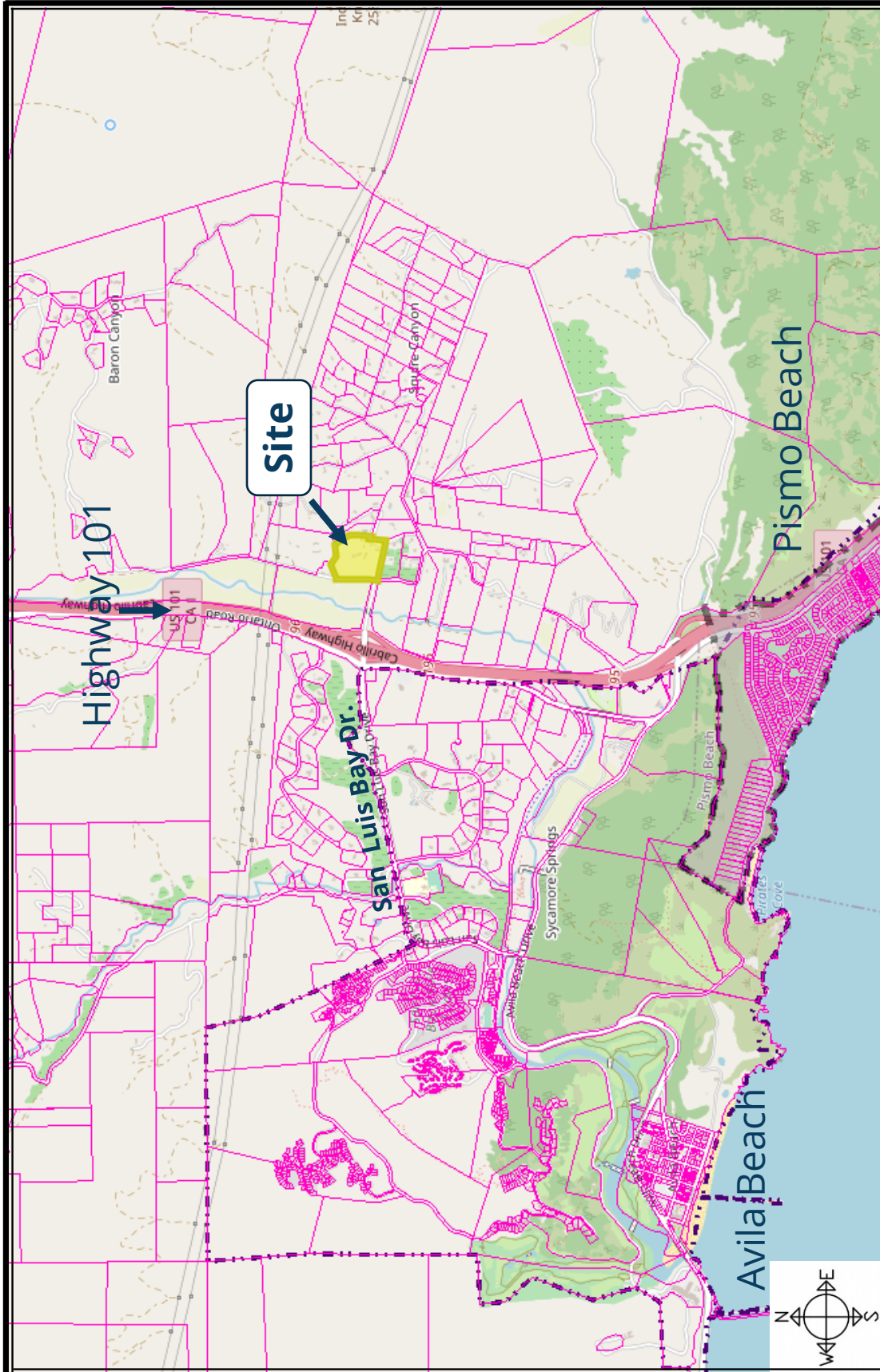
Dear Cindy,

At the August 12 AVAC meeting the council approved the recommendation from the Squire Canyon committee that the council will not comment on the SUB2019-00055 CO14-0106 Mazzone project application.

Jim Hartig

Jim Hartig, AVAC Chairperson

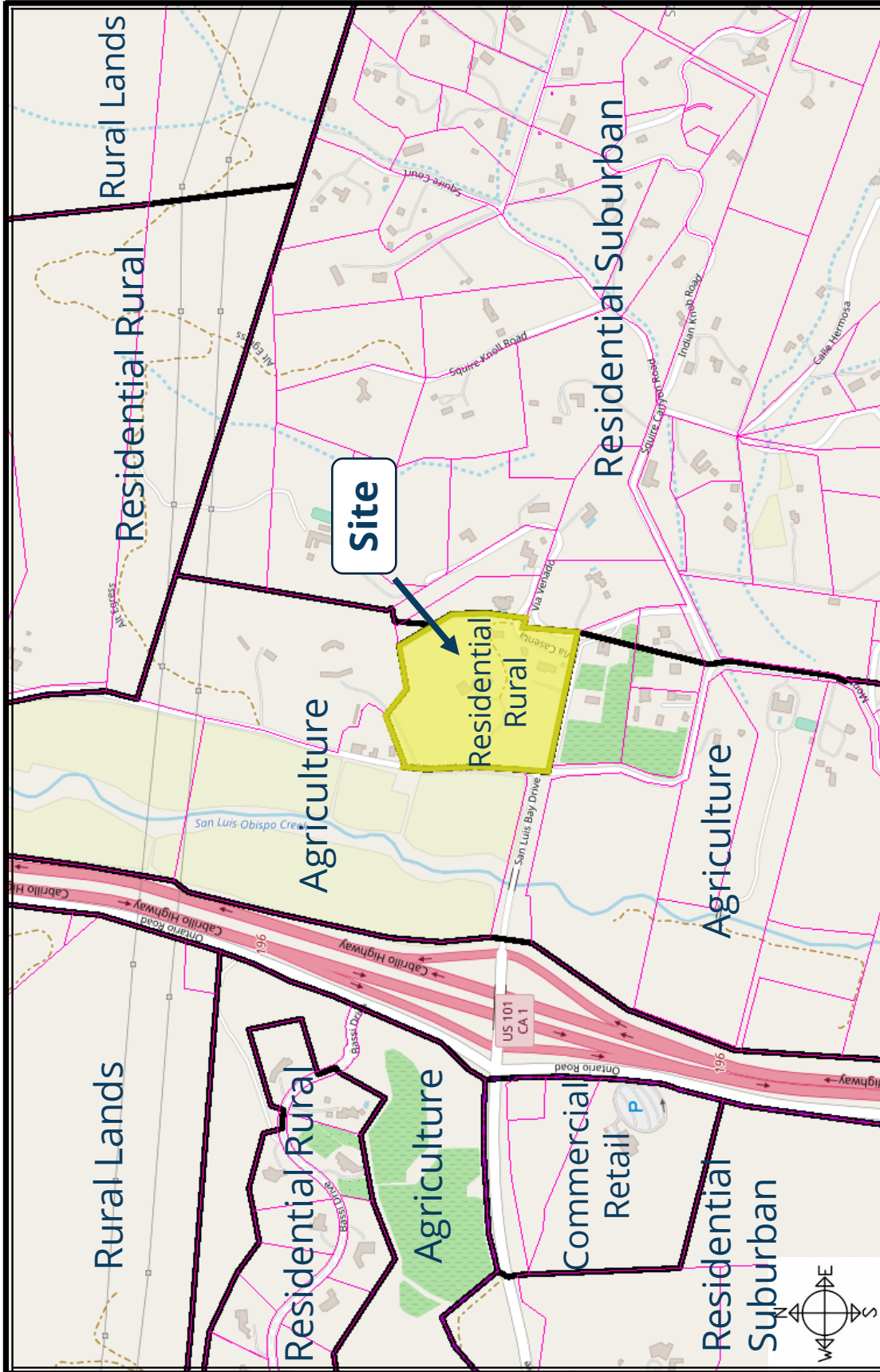
Cc: Adam Hill, District 3 County Supervisor, Nicole Nix, Legislative Assistant, Matt Jansen, Planning Department, AVAC



Vicinity Map
SUB2019-00055/CO 14-106

COUNTY OF SAN LUIS OBISPO







Aerial

SUB2019-00055/CO 14-106

COUNTY OF SAN LUIS OBISPO



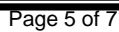


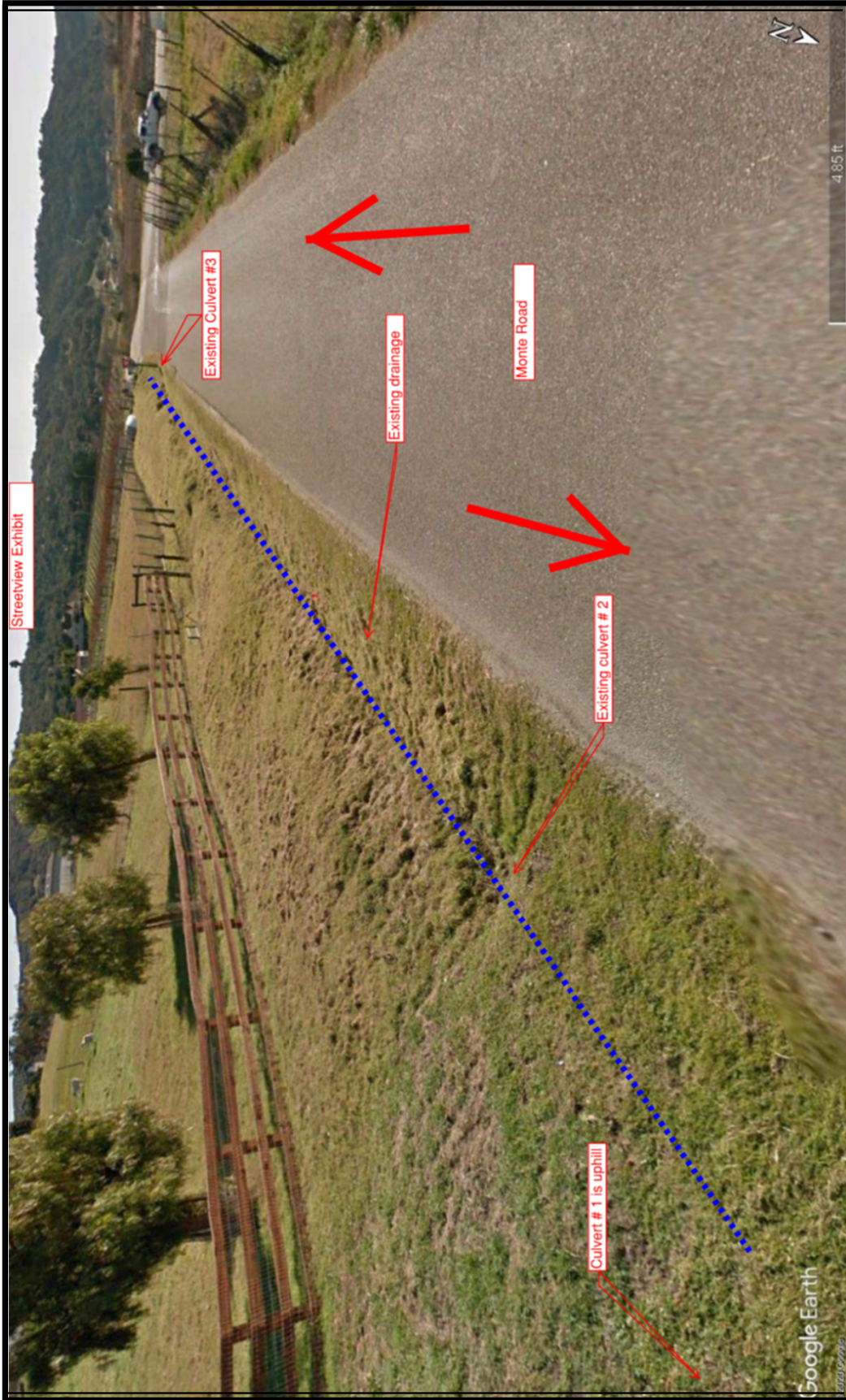
Parcel Map

SUB2019-00055/CO 14-106

COUNTY OF SAN LUIS OBISPO

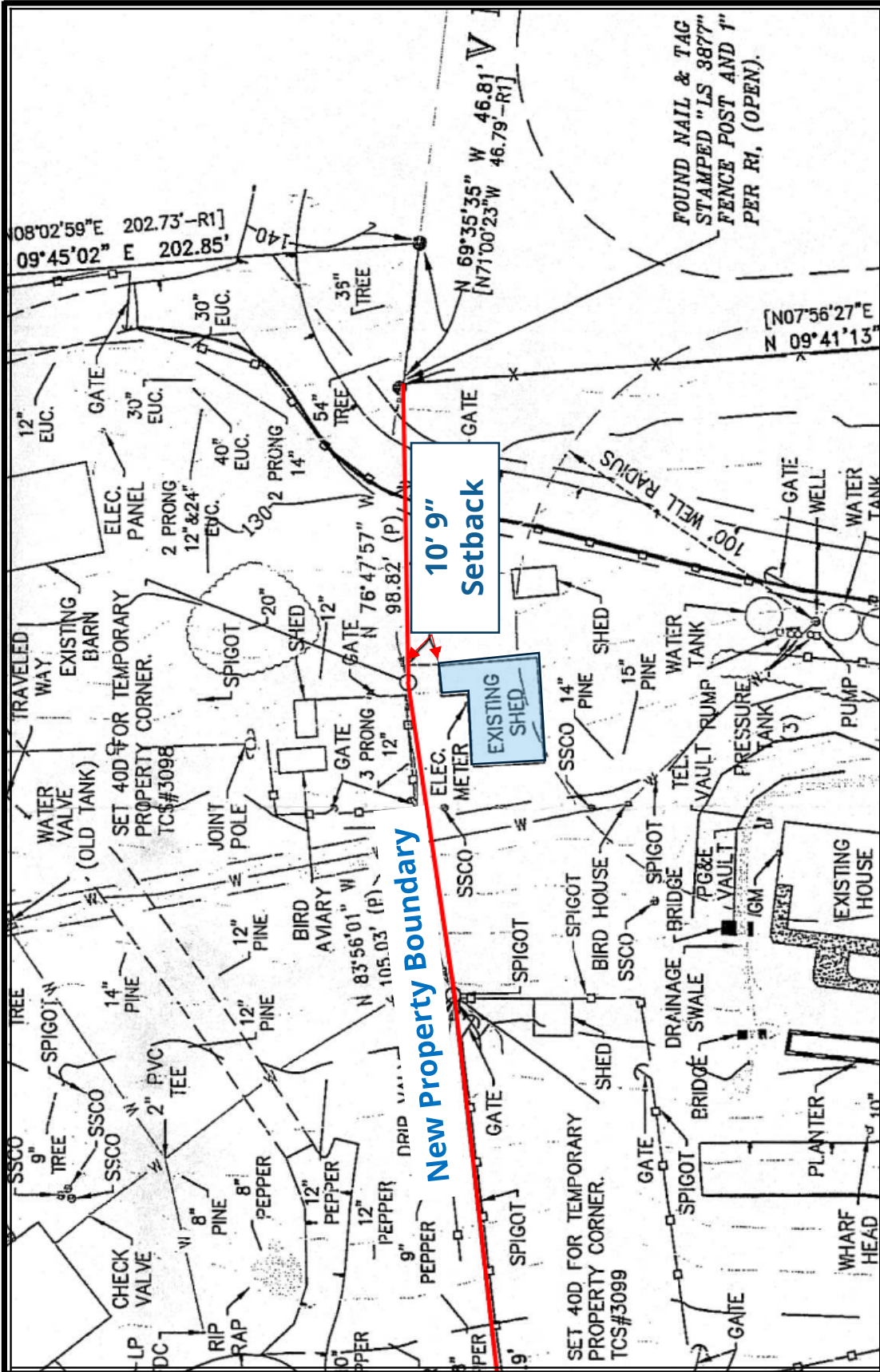






COUNTY OF SAN LUIS OBISPO

Monte Road
SUB2019-00055/CO 14-106





COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Notice of Exemption

PLN-1123
06/06/2018

Project Title and No.: Mazzone Parcel Map SUB2019-00055/CO14-0106/ ED20-094-PL

Project Location (Specific address [use APN or description when no situs available]): 6505 Monte Road, San Luis Obispo, CA 93401

Project Applicant/Phone No./Email:
Francisco Vargas / (805) 461-5765 / francisco@kirk-consulting.net

Applicant Address (Street, City, State, Zip):
8830 Morro Road, Atascadero, CA 93422

Description of Nature, Purpose and Beneficiaries of Project

A request by Frank Mazzone for a Tentative Parcel Map (CO14-0106 / SUB2019-00055) to subdivide an existing 16.73-acre parcel into two parcels of 11.66 and 5.07 acres each for the purpose of sale and/or development. Parcel 1 will include an existing 6,000 square foot residence, agricultural barn and accessory storage structures. Parcel 2 will include an existing 1,200 square foot residence, a 500 square foot historic residence converted to storage, and several small accessory sheds. A side setback adjustment is requested to allow the existing structure to be located 10 feet, nine inches from the northern property line. No new site disturbance is proposed or anticipated other than required public road and utility improvements. An existing shared well will continue to serve the two parcels. The property is in the Residential Rural land use category and subject to a Planning Area Standard that limits subdivision to two parcels and prohibits secondary residences. The project site is located at 6505 Monte Road, San Luis Obispo on the east side of Highway 101 at the intersection of San Luis Bay Drive and Monte Road, approximately 3 miles south of the City of San Luis Obispo, in the San Luis Obispo Sub Area North of the San Luis Obispo Planning Area.

Name of Public Agency Approving Project: County of San Luis Obispo

Exempt Status: (Check One)

- | | | |
|-------------------------------------|-------------------------|--|
| <input type="checkbox"/> | Ministerial | {Sec. 21080(b)(1); 15268} |
| <input type="checkbox"/> | Declared Emergency | {Sec. 21080(b)(3); 15269(a)} |
| <input type="checkbox"/> | Emergency Project | {Sec. 21080(b)(4); 15269(b)(c)} |
| <input checked="" type="checkbox"/> | Categorical Exemption. | {Sec. 15315 ; Class: 15} |
| <input type="checkbox"/> | Statutory Exemption | {Sec. ____} |
| <input type="checkbox"/> | General Rule Exemption. | {Sec. 15061(b)(3)} (also complete GRE form PLN-1124) |
| <input type="checkbox"/> | Not a Project ____ | |

Reasons why project is exempt: The project consists of the division of property into two parcels in conformance with the General Plan and zoning, where all services and access to the proposed parcels are available, and no variances are required. The parcel has not been involved in a division of a larger parcel within the previous two years. The parcel does not have an average slope greater than 20 percent. This subdivision was evaluated and anticipated in a previous General Plan Amendment approved for the subject property authorizing a change in land use designation to allow the proposed parcel sizes.

Matthew Ringel (mringel@co.slo.ca.us)

(805) 781-5600

Lead Agency Contact Person (Name, Number, E-mail)

If filed by applicant:

1. Attach certified document of exemption finding
2. Has a notice of exemption been filed by the public agency approving the project? Yes ☐ No ☐



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Notice of Exemption

PLN-1123
06/06/2018

Signature: _____ **Date:** _____

Name: _____ **Title:** Project Manager

On _____ the project was Approved by:

☐ Board of Supervisors
☐ Planning Commission

☐ Subdivision Review Board
☐ Planning Dept Hearing

Officer ☐ Other _____